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ABSTRACT

The transcript of this hearing on the reauthorization of the Bilingual Education Act and the prepared statements of witnesses, are presented here. The Bilingual Education Act, enacted in 1968, is a major federal education authority that provides educational services primarily for school-age, limited-English-proficient students (LEP). A study of the research findings in bilingual education completed by the U.S. General Accounting Office is reported. Recent research and statistical evidence seem to indicate the need for change in the management and funding of bilingual programs. Testimony is reported from the following people: Gordon Ambach (University of the State of New York), Eleanor Chelimsky (U.S. General Accounting Office), Lillian Falk (Prince George's County Public Schools, Maryland), Harry Handler (Los Angeles Unified School District), Carol Pendas Whitten (Office of Bilingual Education and Minority Language Affairs), Matthew Martinez (U.S. Representative from California), Diane Ravitch (Columbia University), and Herbert Walberg (no affiliation cited). (DJD)

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REAUTHORIZATION OF EXPIRING FEDERAL ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

Bilingual Education

Volume 4

HEARING

BEFORE THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR HOUSE OF REPRESENTATIVES

ONE HUNDREDTH CONGRESS

FIRST SESSION

ON

H.R. 5, H.R. 1755, and H.R. 1448

HEARING HELD IN WASHINGTON, DC, MARCH 24, 1987

Serial No. 100-5

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REAUTHORIZATION OF EXPIRING FEDERAL ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

Bilingual Education
Volume 4

TUESDAY, MARCH 24, 1987

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC.

The subcommittee met, pursuant to notice at 9:30 a.m., in room 2172, Rayburn House Office Building, Hon. Augustus F. Hawkins presiding.

Members present: Representatives Hawkins, Kildee, Martinez, Hayes, Richardson, Robinson, Goodling, Bartlett, Grandy, Gunderson, Petri and Jeffords.

Staff members present: John Jennings counsel; Ricardo Martinez, legislative analyst; June Harris, legislative specialist; Beverly Griffin, staff assistant; Andrew Hartman, legislative associate; David Esquith, legislative associate; and Jo-Marie St. Martin, legislative associate.

Chairman HAWKINS. The Subcommittee on Elementary, Secondary, and Vocational Edcation is called to order.

This morning the subcommittee is conducting a hearing on the reauthorization of the Bilingual Education Act. This Act was enacted in 1968 and is currently the major federal education authority that provides educational services primarily for school age, limited English proficient students. Recent studies show that while the overall school age population will rise 16 percent by the year 2,000, language-minority school age children will increase by 40 percent, which clearly says to us that there are large and growing numbers of children of limited English proficiency, that the need for the bilingual education program is greater today than ever before.

We are pleased today to have a number of witnesses to present their views on how bilingual education programs are working in this country. We wish to welcome all of the witnesses, and we look forward to hearing their testimony.

Mr. Goodling?

Mr. GOODLING. I have no opening statement. Thank you.

Mr. KILDEE. Just a brief statement, Mr. Chairman.

Chairman HAWKINS. Mr. Kildee?

Mr. KILDEE. Mr. Chairman, I was pleased to have been the original chief sponsor of the last reauthorization of the bilingual bill. We stressed in that bill and reemphasized, that the basic purpose of bilingual education was to help the student achieve a proficiency in English, moving this language to the beginning of the bill. It would be a shame, an educational and a social shame, for a student to go through school without achieving that proficiency in English. Yet, we recognize that by using the student's native language, we help that student make gains and progress in the other courses and not fall behind.

It is method that has been used and has worked, enjoys the support of those who are receiving it, and enjoys the support of the parents who see the progress that their children are making in achieving that English proficiency while at the same time not falling behind in their other subject matters.

I gave a talk just Saturday evening in Lansing, Michigan, to a bilingual group from around the state, and came back reinforced in my view that the basic thrust of the federal bill is a thrust that has worked and one that we should continue to implement.

So, Mr. Chairman, I look forward to these hearings this morning to hear the various points of view on this.

Chairman HAWKINS. Mr. Goodling?

Mr. GOODLING. Thank you. I was engaged in conversation when you called on me the last time.

Mr. Chairman, discussions about the proper federal role in bilingual education to often generate more heat than light. Concerns about how the research literature should be interpreted, how is the department implementing the law, and larger political issues are important, but they lead us away from deciding what is good policy.

My position regarding bilingual education is based on four beliefs. First of all, the federal government should assist schools in their efforts to educate children with limited English skills. Second, any such program should have the twin goals of helping these students succeed in school and learn the English language. Third, that it is inappropriate for the federal government to tell schools how to best educate their students. Fourth, that parents, educators and other community members should make these critical decisions.

In other words, I am not against transitional bilingual education nor for any specific alternative approach. If we are to get into the business of deciding what is the best method of teaching in all of the federal education programs, then we would have to become experts in reading, math and science just for starters. Obviously that would be seen as intrusive and inappropriate action on Congress' part just as this committee rejected such efforts in the area of reading instruction and phonics last year. Our curriculum requirements in the Bilingual Education Act are equally inappropriate.

So, as the morning progresses and the central issue before us becomes obscured, I hope every member of this committee will remember that we are talking—what we are talking about is what is the proper role of the federal government with regard to education and agree with me that our role is to support local educational services and not determine what shape they should take.

Thank you, Mr Chairman.

Chairman HAWKINS. Thank you.

Any other statements? Mr. Martinez, do you care to make a statement?

Mr. MARTINEZ. Yes. Mr. Chairman, I am looking forward to these hearings. I thank you for the opportunity to speak a couple of moments. I will be very brief.

You know, one of the things that keeps happening here in all these debates that I have heard is we keep talking about two things. One, how there should be total immersion programs when there exist total immersion programs. Two, we hear about how inflexible the programs are and how narrow they are focused. And the truth of the matter is that no two bilingual programs any where in the country are exactly alike. There is a lot of flexibility. For the very same reasons that Mr. Goodling just outlined, we do not tell them specifically what kind of a program to use.

There is more than the four percent, and that four percent is more like 18 percent anyway. But even at that there is more than that when you look at the MI rate of programs and types of teaching in the different schools. Mrs. Whitten met in my office with me and she herself attested to the fact that as she visited all the schools that she visited that there was a MI rate of different types and methods of teaching in programs.

Total immersion exists. And if you do that as they described—the Department of Education—a language teacher, I will tell you I am a product of that kind of teaching. And it was not a success. If it was a success, it was because I myself made the determination to learn and those people like me. But we are the few and the far in between. The majority of the students in schools with that kind of teaching come out with any comprehension. As a result we have that mass of functional illiterate people in the United States that went through the system, those that were not even Spanish speaking or any other language, whose English was their first language, simply because people learn at different rates of speed.

I know that some children learn fast and some people have more capacity at an earlier age, and everybody does realize that. So, we cannot determine that the few that succeed from one program are really indicating what the rest are like.

One thing that we concentrate too much is on how long these young people are in this transitional program. It does not matter how long they are in the transitional program. What really matters is what they learn from that program, if it takes one year, two years or six years. Very few of these young people stay in it longer than six years if they stood in that long. But if they did, and it was to their benefit, and as Mr. Goodling has also indicated, the real goal of this program is to not only to learn English, but to cause them to succeed. Succeed. And I think that is an important factor because I think we have to realize that where English teaching is one of the goals, the more important goal is how these young people are going to go out and provide for themselves and be a success in life itself.

Mr. Chairman, in California alone there are probably over a half a million limited English speaking students. Not all of them get the benefit of the bilingual program. Only a small percentage the

bilingual program reaches. So, the rest of those I suggest to you are in immersion programs. We need no more talk of immersion programs. There exists already special language teachers who do not really understand the culture and problems of the children. I think the big shortcoming of this program is a lack of sufficient teachers, lack of properly motivated and educated teachers, and facilities to teach these kids, and the lack of funds for the program.

Thank you.

Chairman HAWKINS. Thank you.

Mr. Grandy, do you have a statement?

Mr. GRANDY. No, Mr. Chairman; I have no statement. I am here to listen today.

Chairman HAWKINS. Mr. Robinson?

Mr. ROBINSON. Mr. Chairman, I have no statement.

Chairman HAWKINS. The Chair will call the witnesses as scheduled, and I ask that they be seated at the witness table.

Ms. Carol Whitten, Director, Office of Bilingual Education and Minority Affairs, the U.S. Department of Education; Dr. Eleanor Chelimsky, Director, Program Evaluation and Methodology Division, U.S. General Accounting Office; Dr. Harry Handler, Superintendent of Schools, Los Angeles Unified School District. He is accompanied by Jim Lyons, Legislative Counsel, National Association for Bilingual Education. Dr. Gordon Ambach, President, University of the State of New York, Commissioner of Education; Ms. Lillian Falk, Coordinator, English for Speakers of Other Languages Program, Prince George's County Public Schools, Maryland.

May we welcome the witnesses this morning and suggest to you that all of the prepared statements will be entered in the record at this point, and we would hope that you will summarize from them and allow sufficient time for questioning at the end of the statements being presented by each of the individual witnesses. Obviously, there is a diversity of viewpoints represented, and we look forward to a lively and certainly a provocative and hopefully a constructive hearing this morning. We will first call on Ms. Whitten, Director of the Office of Bilingual Education of the U.S. Department of Education. Ms. Whitten?

STATEMENT OF CAROL PENDAS WHITTEN, DIRECTOR, OFFICE OF BILINGUAL EDUCATION AND MINORITY LANGUAGE AFFAIRS, U.S. DEPARTMENT OF EDUCATION

Ms. WHITTEN. Thank you, Mr. Chairman. And I would like to thank you for having me here today.

I would like to first discuss the Administration's bilingual education proposal which would simply lift the current four-percent cap on federal funding for special alternative instructional programs. This reform would allow local districts greater flexibility in choosing methods of instruction for students of limited English proficiency, and would help in fulfilling our goal of ensuring equal opportunity for all Americans.

As you know, in Fiscal Year 1986, classroom instructional programs funded under Title VII served nearly 200,000 students in 47 states. These included both transitional and special alternative programs.

In 1985 we also funded for the first time the special alternative programs. Although there are strong indications that local need far exceeds the number of alternative projects funded, due to the congressionally mandated four percent monies, we were only able to fund 35 of these awards. I would like to highlight for the committee some of the following issues that came to light.

In Fiscal Year 1985 there were three times the number of alternative program applicants as awards during the first year of the competition.

In Fiscal Year 1986 no new alternative program grants were awarded because funds were not available. However, during Fiscal Year 1986 we received 127 inquiries regarding possible funding.

On March 9, 1987, the Department announced a competition for new alternative programs. In the first ten days of the competition, we received over 150 requests for applications despite the fact that we had announced only $1 million and a possible maximum of 17 grants. To date, as of yesterday, we have received 198 requests.

Further, since September of 1986, the National Clearinghouse reports that 40 percent of their inquiries are regarding special alternative methods.

It is also interesting to note that inquiries and grant applications indicate that school districts are using a variety of methods rather than one single method to meet the needs of their students. Twenty-seven of the 35 special alternative programs funded currently go to school districts that also offer transitional bilingual education. These districts are either enhancing the English language component of their programs or trying to serve the changing and expanding needs.

There are many reasons for local districts to turn to alternatives. Some are attempting to serve a variety of language groups within a single system. Many other districts adopt alternative methods because they believe that these more intensive English use meets the needs of their students, and also many groups feel that they have different ethnic groups within their schools that prefer an English only approach. This happens many times with large Asian communities.

The current restriction on funds for alternative methods takes none of these situations into consideration. We should not, therefore, continue to follow a policy that assumes that all school districts have one homogeneous language group to serve, that they have personnel sufficiently skilled to teach in two or more languages and there is universal parental support for transitional bilingual education.

In short, we should recognize that there is no one best method of instruction for all children under all circumstances, and that parents, teachers and local school personnel are in a far better position to make an informed choice than is the federal government.

As you consider reauthorization of the law, the top priority should be increasing the discretion of schools to design programs that respond to the needs of the local children. The legislation recently introduced will remove the four percent cap on funding for special alternative programs and the requirement that 75 percent of funds available for Part A be sent on transitional bilingual education. This will allow schools to make their proposals based on

their own needs as opposed to federal mandates, and it will allow us to select on the basis of quality.

Finally, I wish to reiterate Secretary Bennett's strong commitment to bilingual education. As you know, the Department has requested current level funding for bilingual education programs which is in keeping with the Administration's overall effort to preserve funding for those programs that serve the most disadvantaged students.

Second, despite allegations to the contrary, it is not our goal to promote one method of instruction over another. Nothing in our proposal would in any way impede a school district from receiving funds for a program of transitional bilingual education if that is the method that the school district chooses.

Thank you very much.

[The prepared statement of Carol Whitten follows:]

PREPARED STATEMENT OF CAROL PENDAS WHITTEN, DIRECTOR, OFFICE OF BILINGUAL EDUCATION AND MINORITY LANGUAGES AFFAIRS

Chairman Hawkins and Members of the Committee, I am pleased to be here today to testify on behalf of the Bilingual Education Act Amendments of 1987. This initiative, which has considerable support in the Congress, was recently introduced in the House by Congressmen Jeffords, Goodling, and Fawell and was also included as part of the Administration's competitiveness package.

Mr. Chairman, the Administration's bilingual education proposal would simply lift the current 4 percent cap on federal funding for special alternative instructional programs. This reform would allow local districts greater flexibility in choosing methods of instruction for students of limited English proficiency, and it would help in fulfilling our goal of ensuring equal opportunity for all Americans.

As you know, Mr. Chairman, in Fiscal Year 1986 classroom instructional programs funded under Title VII served nearly 200,000 students spread across 47 states and the District of Columbia. These included both transitional bilingual and special alternative programs.

Fiscal Year 1985 marked the first competition for alternative instructional programs. Although there are strong indications that local need far exceeds the number of alternative projects funded, due to the Congressionally-mandated four percent funding cap, monies were available for only 35 alternative program grants. I would like the Committee to be aware of the following facts which highlight the pressing need for alternative programs.

In FY 1985, there were three times the number of alternative program applicants as awards.

In FY 1986, no new alternative program grants were awarded because funds available under the four percent set-aside were used for continuation grants.

Although no competition for new alternative program awards was held in FY 1986, the Office of Bilingual Education received 127 inquiries about funding possibilities for alternative programs from late September 1986 to March of this year.

On March 9, 1987, the Department announced a competition for new alternative program grants. In the first ten days of competition, the Office of Bilingual Education received over 150 requests for applications despite the Department's published statement that only an estimated $1 million will be available to fund new alternative program grants.

Since September of 1986, approximately 40 percent of the information requests received by the National Clearinghouse for Bilingual Education dealt with alternative programs.

In addition, it is also interesting to note that the inquiries and grant applications indicate that school districts are using a variety of methods, rather than one single method, to meet the needs of their students. Twenty-seven of the thirty-five FY 1986 alternative instructional program awards were made to school districts that already offered transitional bilingual education. These districts were either enhancing the English language component of their programs or trying to serve changing and expanding language groups.

There are many reasons that local districts turn to alternative instructional methods. Some are attempting to serve a variety of language groups within a single system. Many other districts adopt alternative methods because they believe that

more intensive English language instruction is required. Finally, there are situations where local language groups prefer methods that do not involve native language instruction. This is often found in school districts with large members of Asian students.

The current restriction on funds for alternative methods takes none of these situations into consideration. We should not, therefore, continue to follow a policy that assumes all school districts have one homogeneous langauge group to serve, that they have personnel sufficiently skilled to teach in two or more languages, or that there is universal parental support for transitional bilingual education. We must begin to recognize that America is a nation of many nationalities and that some parents may prefer that their children learn English through intensive English language instruction rather than native language instruction. In short, we should recognize that there is no one best method of instruction for all children under all circumstances and that parents, teachers and local school personnel are in a far better position to make an informed choice than is the federal government.

As you consider reauthorization of the law, the top priority should be increasing the discretion of schools to design programs that respond to the needs of local children. The legislation recently introduced will remove the four percent cap on funding for special alternative instructional programs and the requirement that 75 percent of funds available for Part A, Bilingual Programs be spent for transitional bilingual education projects. This will allow schools to submit proposals based on local needs rather than federal mandates. It will also allow the Department to weigh the quality of applications without respect to the specific method proposed.

Finally, Mr. Chairman, I wish to reiterate Secretary Bennett's strong commitment to bilingual education. As you know, the Department has requested current level funding for the bilingual education program, which is in keeping with the Administration's overall effort to preserve funding for those programs that serve the most disadvantaged students. Second, despite allegations to the contrary, it is not our goal to promote one method of instruction over another. Nothing in our proposal would in any way impede a school district from receiving funds for a program of transitional bilingual education if that is the method the district judges best for its students.

Thank you Mr. Chairman for this opportunity to speak before your Committee. I will be happy to respond to your questions.

Chairman HAWKINS. Thank you.

The next witness is Dr. Eleanor Chelimsky, Director, Program Evaluation and Methodology Division, U.S. General Accounting Office. Dr. Chelimsky, we welcome you.

STATEMENT OF ELEANOR CHELIMSKY, DIRECTOR, PROGRAM EVALUATION AND METHODOLOGY DIVISION, U.S. GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY ROBERT YORK AND FREDERICK MULHAUSER

Ms. CHELIMSKY. Thank you very much, Mr. Chairman. It is a pleasure to be here this morning to talk about GAO's study of the research findings on bilingual education.

Before beginning, I would like to introduce the people who are here with me. We have Robert York in back of me, who is the study director, and Frederick Mulhauser, who was project manager for the study.

Of course, I am going to summarize. You have my report, and you have my statement. So, this will be a mini, mini statement that you will be getting, but I would like to have the full statement part of the record if that is possible.

Chairman HAWKINS. It will be without objection.

Ms. CHELIMSKY. Thank you, sir.

As you know, there has been a lot of debate about the results of research on how to teach children who come to school knowing little English. Much of this debate has taken the form of rhetoric—

heat and light was what someone said just a few minutes ago—on the part of both opponents and proponents of bilingual education.

In this rather heavy atmosphere, the subcommittee asked GAO to take a new look at the research evidence on bilingual education and then examine whether statements made by officials of the Department of Education accurately reflected that evidence. We were especially interested in this assignment because we hoped that a GAO review of the evidence could perhaps bring a more objective analytic focus to the national debate than currently exists.

Now, the Department stated policy is that the native language teaching requirement should be dropped from the current Bilingual Education Act. As part of the supporting evidence for that policy, Department officials citing research and evaluations have stated that overall the research in the area is inconclusive and does not support the native language requirement.

Our approach to this assignment was very briefly as follows. We examined the existing literature and selected the best reviews or syntheses of evaluation and research findings. We look at recent Department statements about research evidence and chose a representative set of those statements. We established a panel of distinguished researchers in the field and asked them via a questionnaire that we developed for their judgments on the match between the research evidence and the Department statements.

We chose our panel carefully to ensure a balance of perspectives and as a result we did not expect to obtain unanimous consensus from the panel. It turns out, however, that we did obtain majority consensus on the key issues to a remarkable degree that really surprised us given the controversy in the area.

Before getting into the findings, I would just introduce a small caveat with regard to the scope of our study. Our evaluation design allows us to answer only the questions on research evidence posed by the subcommittee. We cannot speak to the overall merit of the native language requirement or of alternative approaches because we have not studied them in overall policy terms, including their costs, their feasibility, their likely operational problems. This said, I have three findings to report on what we have studied.

First, with regard to the use of the native language for learning English, 8 of 10 experts on our panel found that the evidence is sufficient to support the law's requirement. That is, only 2 of the 10 experts agreed with the Department that there is not enough evidence to support it.

With regard to the law's second goal, ensuring that students keep up in their other subjects, Department officials have stated that research evidence in this area is not strong or consistent enough to support the law's requirement for native language learning use in teaching subjects other than English. Here again, despite fewer evaluations, 6 of our 10 experts judged that the research evidence is strong enough to support the law's requirement in this area.

Finally, Department officials have stated—and we heard again this morning with Dr. Whitten—that research has demonstrated the promise of alternative approaches, such as structured immersion, which do not use the native language. Once again, 7 out of 10

researchers disagreed with the Department that the research evidence on these approaches can be characterized as promising.

In sum, Mr. Chairman, the majority of our panel judged that the Department's statements do not accurately reflect the research evidence with respect to the law's requirement and goals. They understate the evidence for native language instruction, and they overstate it for alternative approaches.

Now, the Department has objected to our report's findings. They have questioned the Comptroller General's authority to perform studies of this type, stated that the GAO misrepresented the Department's position, contested the GAO's objectivity, and questioned the GAO's research capability and methodology. You can see all that in the letter that is in our blue backed report that you have.

Let me quickly respond to all four points. First, we have made clear to the Department in our response to their letter the various legal bases of the Comptroller General's authority to examine the statements and actions of government officials.

Second, with regard to misrepresenting the Department's position, our purpose in this report, as I have said, was to examine how accurately Department officials' statements have reflected research findings. The statements we chose are a cross section of official utterances. And the Department does not dispute their accuracy. However, the Department states that it is not opposed to native language instruction and feels we should have made more of it in the report.

Now, our report does mention the Department's statement that native language methods are effective in some situations. But it is also the case that Department officials have vigorously attacked native language teaching. For example, the Secretary has called it a failed path. And they do propose that the native language teaching requirement be dropped completely from the law in part because of its lack of research support. Thus, we feel that no misrepresentation has occurred.

Third, with regard to objectivity, the Department charges us with bias but brings no evidence to support such a charge. Indeed, we have bent over backwards, as I have explained in my full statement, in our effort to ensure fairness to the Department both in the selection of our reviews and in the selection of our experts.

Fourth, with regard to research capability within the GAO and this study's methodological approach, well, the division I head includes social scientists, mathematicians, statisticians, methodologists of different types making up the body of researchers among whom 90 percent have advanced degrees and 60 percent have doctorates.

The methodology we used in this study is not unusual in any way. It is, in fact, used by many other agencies, for example, the National Institutes of Health, the Office of Technology Assessment, the Defense Science Board, the National Institute of Justice, the National Institute of Mental Health. I could go on. As I say, the method is a very ordinary way of handling the question we were asked by this subcommittee. Indeed, there are not many other ways to resolve disputes of judgment over the interpretation of a large body of research except by using expert opinion.

In addition, our study has received careful reviews by a number of well known methodologists.

Overall the Department's comments did not cause us to change our substantive presentation of the experts' views in any way.

To conclude then, with regard to the question posed by the subcommittee, whether statements by senior Department of Education officials about research evidence in bilingual education have accurately reflected the weight of that evidence, let me answer clearly that the majority of the experts we surveyed do not think they did.

Most of our panel members believe there is research support for the law's native language requirement. Most believe the Department is incorrect when it says that research evidence shows the promise of alternative techniques that do not involve native language teaching. The bottom line here is that a number of distinguished experts from relevant research disciplines do not construe the research evidence in the way the Department of Education does either with regard to bilingual education in general or with regard to native language versus non-native language approaches in particular.

It is, thus, incorrect to speak of agreement in the research field that the evidence is too inconclusive to support the Bilingual Education Act's native language requirements.

Mr. Chairman, that concludes my statement, and I would be happy to answer any questions you may have.

[The prepared statement of Mrs. Eleanor Chelimsky follows:]

PREPARED STATEMENT OF ELEANOR CHELIMSKY, DIRECTOR, PROGRAM EVALUATION AND METHODOLOGY DIVISION

Mr. Chairman and members of the subcommittee, we are very pleased to be here today to discuss research findings on bilingual education.

As you know, there has been extensive debate about the results of research on how to teach children who come to school knowing little English. Much of this debate has taken the form of rhetoric on the part of both opponents and proponents of bilingual education. In this atmosphere, the Chairman of the Committee on Education and Labor asked the GAO to assist the Subcommittee on Elementary, Secondary and Vocational Education by taking a new look at the research evidence on bilingual education and then examining whether statements made by senior officials of the Department of Education accurately reflected that evidence.

The department's policy is that the native-language teaching requirements should be dropped from the current Bilingual Education Act (20 U.S.C. 3223). As part of the supporting evidence for that policy, department officials have cited research and evaluations and have stated that, overall, the research in the area is inconclusive. At issue are these department interpretations of the large body of research findings pertinent to the native-language requirement.

REQUIREMENTS OF THE CURRENT LAW AND ACTIVITIES SUPPORTED

The current Bilingual Education Act requires that in most school projects funded under the act the children's native language be used to the extent necessary. In addition, the law includes a category of projects that need not use the native language at all, and 4 percent of the total appropriation is reserved for this category.

The law requires that whether or not students' native language is used, all school projects funded under the act should aim to help students not only learn English but also keep up in their other school subjects and progress from grade to grade so that they do not fall behind during the time it takes them to learn enough English to do regular school work.

These requirements, it should be noted, do not affect all schools in the United States but only those that want to receive project grants under the act. In 1985, the department supported 538 programs of transitional bilingual education, serving about 174,500 students and about 35 special alternative projects that were not required to use native languages, serviing about 12,000 students. The department esti-

mates that between 1.2 and 1.7 million children 5 to 17 years old live in language-minority households, make substantial use of minority languages, and have limited proficiency in English. This definition of a target population is itself controversial, and others estimate that the number of children limited in English proficiency is much higher.

THE EVALUATION APPROACH WE USED

The Subcommittee's question to the GAO presented us with four design constraints. First, the very large number of studies in the field (over 1,000) and the amount of time we had to do the work, precluded a new evaluation synthesis by the GAO. Second, the question did not lend itself well to an experimental or national survey design. Third, specific types of expert judgments in both technical and substantive areas would be required to determine: (a) what the proper interpretation of the research might be, and (b) whether a particular interpretation should be called accurate or not. Finally, it was clear that any statements to be made about accuracy would need to be focused on the existing body of studies and on some cross-section of department statements.

Given these constraints, we developed an evaluation design, as agreed with the Subcommittee, that would do two things. First, it would take advantage of the multiple reviews and systheses already published in the field. Second, it would bring together a set of expert technical judgments on what the evidence is about bilingual education and how the department has interpreted. This approach had the added advantages of allowing us to provide information to the Subcommittee in a much shorter time than if we had attempted a new meta-evaluation and preventing duplication of the literature review commissioned from the Congressional Research Service of the Library of Congress.

We proceeded as follows:

First, we searched comprehensively for bilingual education research reviews of syntheses that met our standards for coverage and quality (see attachment I). Of 23 reviews published since 1980 we chose 10.

Second, after reviewing al instances we could find in 1985 and 1986 (and in the previous reauthorization hearings) in which specific senior department officials cited research and evaluation results or interpreted what is known in the field regarding the impact of using native languages in teaching, we selected a cross-section of 31 of these statements.

Third, we talked with authorities nation-wide, including department officials, to identify experts in bilingual education and social science. We sought persons who were expert in combining results from many studies to answer policy questions and persons known for their expertise in the research area of language learning and the more applied area of bilingual education. Recognizing that our method would depend heavily for its credibility on the technical and substantive expertise of our research panel as well as on its balance, we sought representatives of diverse research backgrounds, sections of the country, and perspectives on bilingual education. In particular we tried to achieve an equilibrium in the group that would ensure fairness to the department. Of the 10 experts we selected (see attachment II) five had been cited by department officials in support of their position on what research says in this field (and, in addition, department staff members personally nominated three of these when we asked for recommendations). One of the five had testified for the department's position at a hearing on the previous reauthorization. And a sixth had consulted extensively with department officials in the preparation of the department's review of educational research entitled, "What Works."

Fourth, we presented each expert with the 10 research reviews, the 31 department statements, and a structured instrument asking their judgment, in writing, of the match between the two.

Fifth, we included several steps of careful, independent review of our work such as checking our bibliography with 21 experts (different from those on our panel) before choosing our 10 reviews, reviewing our evaluation design and data-gathering instrument with experts in research and methods, sending our draft report text back to each expert on our panel for review and confirmation that we represented their responses correctly, asking an outside consultant to review all the experts' responses an our draft to ensure we were accurate, and finally, having the draft read by three additional consultants representing diverse views on the subject.

We believe that the approach we used was appropriate for answering the Subcommittee's question, which involved the task of reaching broad judgments about the weight of evidence across more than 1,000 studies. The limitation of this approach is that one cannot guarantee the representativeness of this group of experts, any more

than one can ever guarantee the representativeness of any sample of experts, no matter how carefully selected. In the present case, as I have explained, we made every effort to assure balance in our panel, along with the research competence necessary to answer the Subcommittee's question. I should also note that the approach we used is quite a routine one of for answering this type of evaluation question. Indeed, there are not many other ways to resolve disputes of judgment over the interpretation of a large body of research except by using expert opinion. The National Institutes of Health, for example, use this approach in their Consensus Development Methodology, as do other agencies.

SCOPE OF THIS TESTIMONY

My testimony today is based on the judgments provided by our panel of experts. It is their survey responses that make up the data in our report.

Our work allows us to address only the questions on research evidence posed by the Subcommittee. Our evaluation design does not enable us to reach independent conclusions on the overall merit of the current native language teaching requirement or alternative proposals. Such conclusions would require the analysis of evidence on many criteria, such as the cost and feasibility of each policy option.

WHAT THE EXPERTS SAID

Although our report addresses many other issues, I would like to highlight the experts' views on two key issues today: research evidence concerning the use of native-language teaching as an aid to learning English and keeping up in other subjects, and evidence on the merit or promise of alternative methods that do not use native language.

Effects of native-language teaching

On the first major issue, department officials have stated their belief that past federal policy has "discouraged" the use of English, which "may consequently delay development of English language skills." Similarly, many department statements assert that while transitional bilingual education may be effective in some circumstances, it is unproven that it is generally better than any other approach.

From our survey, we found that only 2 of the 10 experts agreed with the department that there is insufficient evidence to support the law's requirement of the use of the native language to the extent necessary to reach the goal of learning English. That is, 8 of the 10 experts we consulted read the evidence as sufficient to support the law's requirement.

We posed a second direct question about the evidence for student learning, this time about learning other subjects. Though the department has rarely mentioned this second goal, the law does require that projects under the act permit students to make academic progress and maintain grade promotion. Consistent with its views on children's learning of English under various teaching approaches, here also department officials have stated that evidence for student learning of other subjects when taught using native language to some degree is "neither strong nor consistent" and thus fails to support the law's requirement of native-language use.

We found that analysis in this area must be more tentative because evaluations are less common, but 6 of the 10 experts nevertheless agreed that the research evidence does support the law's requirement.

Effects of alternative approaches

On the second major issue, the promise of alternative approaches, the departmental officials have interpreted research as suggesting that "immersion" approaches which do not use any native language appear to have promising results. Seven of the 10 experts on our panel judged these statements incorrect in characterizing the research evidence as showing the promise of teaching methods that do not use native languages.

The experts gave several reasons for this view. First, there is simply not enough evidence. Since few alternative programs are in operation, few evaluations have been done. Second, a body of research often cited concerning the alternative of teaching by immersion is not clearly transferable. Six of the 10 experts noted that evaluations of the Canadian immersion programs (teaching French to English-speaking children from early grades) may show success but that the experience is not necessarily generalizable to the United States because of differences in the students' backgrounds, families, communities, schools, and cultural settings in the two countries.

Sorting out which programs are which, in order to discuss eligibility or effectiveness of programs is sometimes difficult, as the experts' responses to this issue illustrate. Three experts suggested that some "immersion" teaching programs may not in fact be distinct alternatives. The act defines transitional bilingual education as involving the use of native languages to the extent necessary, and both Canadian and some U.S. alternative programs cited by department officials appear to involve at least some use of native languages.

From this it is clear that most of the experts in our panel saw, in the research reviews and syntheses that we presented, enough reliable evidence to permit them to reach conclusions at least on the main question concerning the evidence for a link between native language instruction and the two goals of the law (learning English and keeping up in school). In other words, there is disagreement by the majority of the panel with the statements of education officials that evidence in this field is too ambiguous to permit conclusions.

Finally, I would note that the issue of the law's dual goals appears to be central. It is difficult to separate the question of the effects of native language teaching on learning English, versus the effects of that teaching on learning other subjects necessary for keeping up in school. Some experts noted that even if the two could be separated as research matters, the law includes both as goals for students. This is important in considering the merits of native-language versus non-native-language programs. As several experts pointed out, alternative approaches with little or no native-language component might be successful in teaching a basic or "survival" knowledge of English; however, they noted the evidence showed that learning enough English to obtain a high-quality education in English while at the same time keeping up adequately in other subjects, almost certainly required the use of native-language approaches to the extent necessary, as called for in the law.

CONCLUSION

In answer to the question posed by the Subcommittee—whether statements by senior Department of Education officials about research evidence in bilingual education have accurately reflected the weight of that evidence—we report to you that the majority of the experts we surveyed do not believe they did. Most (but not all) of the group we surveyed report that the act's native-language requirement has research support. Most (but not all) assert that education officials are incorrect when they state that research evidence shows the promise of alternative techniques that do not involve native-language teaching.

The Department of Education objected to our report but brought no new information in its comments to cause us to materially change our presentation of the experts' views of the research evidence, nor did it find inaccuracies in our quotes from department officials or any lack of qualifications among the experts we consulted.

What then can the Congress glean from our study? The bottom line is that a majority of 10 highly distinguished and recognized experts from the relevant research disciplines do not construe the research evidence in the way the education officials do, either with regard to bilingual education in general, or with regard to native-language versus non-native-language approaches in particular. It is thus incorrect to speak of agreement in the research field that the evidence is too inconclusive to support the Bilingual Education Act's native-language requirement.

Mr. Chairman, that concludes my statement. I will be happy to answer any questions the Subcommittee may have.

ATTACHMENT I.—STANDARDS FOR COVERAGE AND QUALITY OF REVIEWS

(1) balance, or care and impartiality in analysis of the studies under review;
(2) breadth of coverage of research on different parts of the United States and different language groups;
(3) diversity of teaching approaches covered in the studies reviewed;
(4) rigor of approach to locating, selecting, and analyzing the specific studies reviewed;
(5) recency of publication; and
(6) diversity of learning outcomes analyzed (other than short-term test score gains).

ATTACHMENT II.—PANEL OF EXPERTS

Fred Bryant, Professor of Psychology, Loyola University, Chicago, IL.
Courtney Cazden, Professor of Education, Harvard Graduate School of Education, Cambridge, MA.

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Richard Duran, Professor of Education, University of California, Santa Barbara, CA.
Lily Wong Fillmore, Professor of Education, University of California, Berkeley, CA.
Gene Glass, Professor of Education, Arizona State University, Tempe, AZ.
Christina Bratt Paulston, Professor of Linguistics, University of Pittsburgh, Pittsburgh, PA.
David Ramirez, Study Director, SRA Technologies, Mountain View, CA.
Diane Ravitch, Professor of Education, Teachers College, Columbia University, New York, NY.
Richard Tucker, Director, Center for Applied Linguistics, Washington, DC.
Herbert Walberg, Professor of Education, University of Illinois, Chicago, IL.

Chairman HAWKINS. Well, thank you.

The next witness the Chair would like to indicate presents an extreme pleasure to the Chair because he is well known by the Chairman of this committee. I wish to commend Dr. Handler for the manner in which he has with great dignity and professional integrity operated what I understand is the second largest school district in the country, and it is with some degree of sadness that I have learned that he will soon be leaving us, but it is a pleasure to have him testify before the committee this morning. It may be the last time in his current official position, but it certainly will not be the last time. The friendship will go on and we certainly welcome you, Dr. Handler, this morning as a witness before the committee.

STATEMENT OF HARRY HANDLER, SUPERINTENDENT OF SCHOOLS, LOS ANGELES UNIFIED SCHOOL DISTRICT, ACCOMPANIED BY JIM LYONS, LEGISLATIVE COUNSEL, NATIONAL ASSOCIATION FOR BILINGUAL EDUCATION

Mr. HANDLER. Thank you, Mr. Chairman. Your words mean a great deal to me both personally and professionally.

Mr. Chairman, members of the committee, my name is Harry Handler, Superintendent, the Los Angeles Unified School District.

First, I would like to describe some of the characteristics of the district that I represent. We cover 710 square miles within which there is a population of approximately four million people. The enrollment in our school district, kindergarten through grade 12, is approximately 590,000 students, 130,000 in our adult and vocational ed and children centers, for a total of approximately 730,000 students.

The ethnic characteristics of the district I represent are: 55.6 percent Hispanic, 18.2 percent black, 17.8 percent non-Hispanic white, 6 percent Asian, 1.7——

Chairman HAWKINS. There is some difficulty in hearing you. I think that is the reason we are trying to move the microphone closer. Your voice is changing. So, has mine. I was also in Los Angeles this past weekend.

Mr. HANDLER. That is exactly what happened.

Chairman HAWKINS. I think we must have gone out together someplace.

Mr. HANDLER. It is evening smog that gets to me.

The 1.7 percent Filipino. Can you hear me now?

Chairman HAWKINS. Much better.

Mr. HANDLER. 1.7 percent Filipino, .4 percent Pacific Islander, and .3 American Indian.

This is a district that is growing at the rate of 15,000 students per year. By 1991 our conservative estimates are that our student body will consist of more than 60 percent Hispanic Latino students and 14 percent non-Hispanic white.

At this time we operate 93 year round schools. The majority of the students enrolled in those 93 year round schools are limited English or non-English speaking students.

We have 78 non-English native languages identified in the district. We have 160,000 kindergarten through grade 12 students who are either non-English speaking or limited English proficient. Another way of saying it is that 27 percent of our students are non-English proficient or limited English proficient.

But in addition, we have 30,000 adults on waiting lists for our adult education program who want to learn English and want to become proficient in English so that they can obtain jobs so that they can be productive citizens within our community.

We serve the largest group of limited English proficient students of any single school district in the nation. Limited English proficient students in the Los Angeles Unified School District differ widely in terms of national origin, culture and language. Los Angeles is the window to the future demographic characteristics of California. Limited English proficient students have academic backgrounds that range from no formal education, young people who have come from rural areas, to various levels of elementary, junior high and senior high school education. All limited English proficient students share a common need: to learn to understand, to speak, to read and write the English language and to improve academically while doing so.

We fully support the provisions of the Bilingual Education Act, especially section 721(a) which provides funds for transitional bilingual education which as you know, is defined in legislation as structured English language instruction, and to the extent necessary, to allow a child to achieve competence in the English language allows for instruction in the child's native language. Transitional bilingual education has been used in Los Angeles for 10 years in accordance with state law. Transitional bilingual education recognizes the multiple benefits of instructional programs which use and develop a child's non-English native language while achieving competence in English and meeting grade promotion and graduation requirements.

In an era of reforms and raising standards, our young people need this special assistance. The example of one of our successful projects is the Eastman Project, Eastman being the name of the school at which the project was initiated. It has been highly successful. It is in its fourth year and it uses the transitional bilingual language process. Test scores have increased dramatically in the first two years. The test scores at that school meet or exceed the district average and far surpass scores for the rest of the schools in the region in which that school is located.

Kindergartners entering the program have made a transition to all-English classes in three to four years. Sixty percent transferring to all-English classes were reading at grade level when transferred. Most others reached grade level within 16 weeks after transferring.

The program has now expanded to seven other schools, and plans are under way for further expansion.

The unique characteristics of this particular program include the fact that the young people continue to learn in their primary language, their native language, in the basic subjects while receiving some instruction in English. And the classes in art and music and physical education are taught in English.

Another advantage of that approach is it makes better use of the human resources in terms of fully credentialed teachers.

All of the major national reports calling for education improvement stress importance of proficiency in more than one language. These reports indicate that we should be doing more so that more young people in this country are proficient in more than one language and that in so doing, we would be serving the national interests in commerce, diplomacy, education and defense.

We believe our present program is moving in that direction. In Los Angeles most of the costs are assumed by the state. Federal funds are small but significant. We believe that the massive worldwide immigration in the ports of entry, L.A. now being the biggest, make it imperative that the federal Bilingual Education Act not only be continued, but be expanded. In terms of the national interest, we cannot afford not to invest in such programs.

These young people are here. They are in our district right now. They will continue to come. They are eager to learn, and we must use all existing knowledge to help them become productive citizens. They are our future employees. They are our future consumers, and hopefully our future employers.

Thank you very much. I will be pleased to respond to questions.

[The prepared statement of Harry Handler follows:]

PREPARED STATEMENT OF DR. HARRY HANDLER, SUPERINTENDENT, LOS ANGELES UNIFIED SCHOOL DISTRICT

Mr. Chairman and members of the committee, my name is Harry Handler, Superintendent of the Los Angeles Unified School District. I appreciate the invitation to appear before you and present remarks on an issue of vital importance—the need for bilingual education and its role in the education of young people.

The district which I represent—the Los Angeles Unified School District—is the nation's second largest school system. It covers an area of 710 square miles, with a total population of more than 4 million residents. Our school district enrollment, from kindergarten through the twelfth grade, totals about 590,000 pupils, with another 130,000 students served in adult education and vocational education programs. In all 818 of our schools and centers, we serve a total of 729,800 children, young people and adults.

The District serves a diverse population. Our student racial and ethnic composition for this school year consists of 55.6 percent Hispanic, 18.2 percent Black, 17.8 percent Non-Hispanic White, 6 percent Asian, 1.7 percent Filipino, .4 percent Pacific Islander, and .3 percent American Indian. We are one of more than 1000 school districts in California, yet we educate nearly 14 percent of all students in the state.

Our diversity can be expressed in another fashion particularly appropriate to the deliberations of this subcommittee. We have identified more than 78 non-English native languages spoken by students in our schools. Latest figures indicate that about 160,000 students—or about 27 percent of our kindergarten through 12th grade population—are either limited-English speakers or non-English speakers.

Surely, Los Angeles has become the major port of entry for new residents to our nation. As a result, the Los Angeles Unified School District has been called upon to provide appropriate educational programs not only to young people arriving in our city, but to thousands of adult immigrants who do not have a basic knowledge of English.

It is in this context that I appear here today in support of the re-authorization of the federal Bilingual Education Act, as contained in H.R. 5, the School Improvement Act.

We, in Los Angeles, have a strong commitment to improve the education of every student in our multicultural-multilingual school population. The strength of that commitment constantly requires our utmost creativity and resourcefulness to serve the diverse needs of all of our students, in full recognition of the many ways in which those needs may differ.

Certain provisions of the Bilingual Education Act seem especially appropriate to our commitment to improve the education of every student in our schools, for the following reasons:

We serve the largest group of limited-English-proficient (L.E.P.) students in any single school district in the nation, approximately 160,000.

L.E.P. students in the Los Angeles Unified School District differ widely in terms of national origin, culture, and language (78 native languages represented among them).

L.E.P. students have academic backgrounds that range from no formal education to various levels of elementary, junior high, and senior high school education.

All L.E.P. students share a common need to learn to understand, speak, read and write the English language, and to improve academically while doing so.

For example, Section 721(a),(1) of the Act makes funds available for grants that may be used for the establishment, operation, and improvement of, among others, programs of "transitional bilingual education," which is defined as : ". . . structured English language instruction, and, to the extent necessary to allow a child to achieve competence in the English language, instruction in the child's native language."

We fully support this provision of the Act, not only because "transitional bilingual education" is the type of program we are currently implementing in our district—and have been implementing for approximately ten years in accordance with state law—but particularly because this provision recognizes the multiple benefits of instructional programs which use and develop a child's non-English native language.

Our successful experience in Los Angeles, in terms of involving fully the child's non-English native language, has been documented in a well-controlled four-year experimental program conducted in cooperation with the California State Department of Education at Eastman Avenue Elementary School in a predominantly Hispanic area of the District.

Along with structured English language instruction, the program provides instruction in the non-English native language of the L.E.P. students until they have mastered all the basic skills of early education and learn how language works.

Test scores in the experimental school have increased dramatically during the first two years of the study, nearing or exceeding District averages and far surpassing average scores for the region in which the school is located.

Students entering the program at kindergarten made the transition to an all-English program in three or four years. Sixty percent of the Spanish-speaking L.E.P. students who were the subject of the study were reading at grade level when transferred to English reading, and nearly all of the rest were up to grade level within 16 weeks.

As a result of the success of the Eastman Avenue Elementary School experimental project, members of our Board of Education voted unanimously to expand the program to other elementary schools that have L.E.P. student concentrations and personnel resources similar to those of the experimental school. Seven such schools were identified for the initial expansion of the program, and plans are underway for further expansion to provide the benefits of bilingual instruction to more students each year.

Our efforts in the Eastman Program model are further supported by, and are fully compatible with, Section 721(a),(4) of the Bilingual Education Act. This section provides for the establishment, operation, and improvement of "programs of academic excellence," and defines the latter as programs of academically excellent instruction which can be used as models for effective schools for limited-English-proficient students, to facilitate the dissemination and use of effective teaching practices for limited-English proficient students. In Los Angeles, we intend to strive toward this end via the Eastman Avenue Elementary School Program and through our constant search for other effective instructional strategies better to serve limited-English-proficient students in our district.

In terms of our commitment to improve education for all of our students, we are in full accord with the Bilingual Education Act, in its recognition that both limited-

English-proficient children, and children whose primary language is English, can benefit from bilingual education programs, and that such programs help develop our national linguistic resources and promote our international competitiveness.

In Los Angeles, we continue to offer parents of native English-speaking students in bilingual classrooms the opportunity for their children to participate in the bilingual program and learn to speak, read, and write the primary language of their limited-English-proficient classmates. We hope that a greater number of parents of English-speaking students recognize this opportunity to broaden and enrich their children's education. Studies conducted in the United States, Canada, and other nations indicate that children who develop early proficiency in a second language, score higher than their monolingual peers on such measures as verbal and nonverbal intelligence, conceptualization, and creativity.

In addition to the opportunities for learning a second language inhererent in our bilingual programs, further opportunities are offered by language immersion programs such as the highly successful Spanish immersion programs in Culver City and San Diego, California. Our District is currently exploring the feasibility of establishing a Spanish-English bilingual immersion program patterned on the San Diego model.

As to the benefits of bilingualism related to the national interest, the Bilingual Education Act's policy in this area is reflected in four recent major reports by the National Commission on Excellence in Education: ("A Nation at Risk"), The College Board, The Twentieth Century Fund, and The President's Commission on Foreign Language and International Studies. All of these reports concur that foreign language learning starting in the elementary grades introduces students to non-English-speaking cultures; heightens student awareness of their native language; and serves the national interest in commerce, diplomacy, defense, and education.

In sum, various important provisions of the Bilingual Education Act support the efforts of the Los Angeles Unified School District to provide all students equal access to a core curriculum designed to prepare them to meet grade-level and graduation requirements and to prepare them to become successful, productive citizens of our nation.

Most of the costs incurred in the operation of our present bilingual education program are borne by funds received from the state of California. Federal assistance received although small, is of significant help to us.

With the effect of worldwide immigration into Los Angeles described previously, it is appropriate that the federal government assume a greater responsibility for providing effective, cost-efficient, and sound educational programs for these new future citizens.

Surely it is in our best national interests that our new residents join the economic, social, and political mainstream of our nation as quickly as possible. Reauthorization of the Bilingual Education Act would be a signficant step in our national commitment to this objective.

Mr. Chairman . . . this completes my testimony. I will be pleased to answer questions.

Chairman HAWKINS. Thank you Dr. Handler.

Dr. Ambach is the next witness.

STATEMENT OF GORDON M. AMBACH, PRESIDENT, UNIVERSITY OF THE STATE OF NEW YORK AND COMMISSIONER OF EDUCATION

Mr. AMBACH. Mr. Chairman and members of the committee, it is a privilege to come before you this morning and to express very strong support for the proposed Bilingual Education Improvement Act of 1987. This act builds on the essential programs which are now in place.

My testimony is not to argue the difference between different types of programs which local districts or states may have. There is a very large measure of discretion offered to the states and to the localities on these matters.

My testimony is really to address the principal thrust of the bilingual education program and what federal policy should be not only with respect to the equity issues and providing a full opportu-

nity for a youngster who may have a native language other than English to be able to develop capacity in English, but also our concerns or what I believe is a necessity of developing a truly bilingual population in this nation for all children and all adults whether they happen to have a primary language which is English or a primary which is other than English.

And I think it is very important as you review this legislation that you look toward the issue of those children being served in bilingual programs and connect it with the questions of competitiveness, of trade, of our position internationally, and in the sense of what we will do in this nation in order to learn to communicate with the rest of the world because after all, English is not the majority language in this world.

In our state we are serving 135,000 students in bilingual programs. We are serving them from 160 different countries and in more than 90 different languages. If one looks that the majority of those students and one sees that they are, of course, language backgrounds of Spanish, but also Chinese, of Korean, of Arabic, of French, of many other languages—but I have given the ones which are most predominant—I think one sees quickly that these are the very languages in which our nation needs to develop a broad capacity in order to communicate with the world in terms of both economics and certainly in diplomatic terms.

And so, therefore, I urge that as you consider the reauthorization, you are really thinking about the broad policy question and not just the issue of what the research results are showing on fine points as against immersion or against transitional programs or against ESL.

I want to commend three particular points in the reauthorization. Special emphasis in the state role and in the importance of evaluation, of monitoring, of assistance that must go on at the state level. It is extremely important for us in the states to be developing new personnel in this area, to have the assistance of federal funds for staff training and for curriculum, to have the assistance to help develop assessment instruments so that there is fair measurement of progress for students whether it be in the native language or whether it be in English. All of that costs money, and provisions in this statute for purposes of supporting the state effort, which are now at five percent, I would urge you consider may need to be increased a bit in order to use those federal funds which we have for even greater leverage on the total of funds that are expended locally or by the state for these important purposes.

A second point that I would like to commend to you has to do with the proposed developmental programs. We have had some extraordinarily exciting experience by way of two-way bilingual education programs—some 17 in number now in our state—where those children whose native language is other than English, and children whose native language is English, in fact, are joined together in projects where there is a genuine cross-experience. And it is not only a matter for those children to communicate with teachers, but it is a matter of those children communicating with other children, which is probably the most natural way for them to begin to establish a capacity, a genuine capacity, to communicate through the years.

Now, what is suggested in your bill, Mr. Chairman, is that there be an opportunity for that kind of developmental or two- way bilingual program to occur, not a requirement, but an authorization that in fact it might go forward. And I commend that to you.

The third point that I would make by way of your proposal has to do with parent participation and an increased emphasis on that. It is strongly applauded in any way that it can be advanced.

I would like to add one comment which is not in my prepared statement, Mr. Chairman, but it is an issue which has come up and I believe perhaps one of the pivotal issues on which you have to decide the question of whether you raise the cap from four percent to ten percent or some other figure.

To me that is not an issue of what is the relative proportion of applications which may have come from one state—that is, its local school districts—or the next state related to how much can be awarded at the Department of Education level. There is, as has been pointed out, a good bit of flexibility that is exercised by the localities and the states in terms of how the overall funding is, in fact, used.

The real issue is what message is the federal government sending. What is the principal policy direction which you wish to take? And in that respect, I would strongly urge that you keep the cap where it is because I think what that says is that from the federal perspective, what you want to do is primarily urge the support of bilingual programs, of transitional bilingual programs. And I would urge that in the context that I have been describing both with respect to the equity to students and our overall position in the world by way of our capacity to communicate with a broad sense that we must truly become a bilingual population not with each person having exactly the same two languages, but with each person having at least the opportunity to develop the capacity in at least two languages.

Thank you very kindly.

[The prepared statement of Gordon M. Ambach follows:]

PREPARED STATEMENT OF GORDON M. AMBACH, PRESIDENT OF THE UNIVERSITY OF THE STATE OF NEW YORK AND COMMISSIONER OF EDUCATION

Chairman Hawkins, members of the House Subcommittee on Elementary, Secondary and Vocational Education, I am Gordon M. Ambach, President of The University of the State of New York and Commissioner of Education of New York State. I welcome the opportunity to speak in support of the proposed Bilingual Education Improvement Act of 1987, legislation critical to the educational needs of limited English proficient students in our Nation. This legislation would improve a successful program and provide much needed funds so that limited English proficient students can benefit from their education and contribute more fully to our Nation's wealth and well-being in this increasingly competitive world. I commend you for your continued fine leadership in bilingual education.

We must not allow students who do not speak or understand the language of instruction to be denied full access to a full education program. The importance of the Title VII program can be illustrated by noting that 19 New York City high school Title VII projects which have submitted program evaluation reports to the State show student attendance rates of 90.7 percent compared to a 77.1 average schoolwide rate. We must support and nurture this student commitment.

Over the last decade, access to educational opportunities for limited English proficient students in New York State has increased dramatically; however, the needs and the size of this population have also increased. This is partly due to improved identification of limited English proficient students. For the number of identified limited English proficient students increased 41 percent in New York State. It is

also a result of the continuing arrival of people of other cultures who are seeking a better life and more economic opportunity for themselves.

Characteristic of the Nation as a whole, New York State has a diverse ethno-linguistic population, both English proficient and limited English proficient. The 134,913 limited English proficient students identified in 1985–1986 are in 156 school districts and come from more than 160 countries, representing 92 languages. The languages with the largest concentrations of limited English proficient students, ranked by size, are Spanish, Chinese, Haitian-Creole, Vietnamese, Korean, Italian, Arabic, Khmer, Greek, and French.

New York State funds limited English proficiency programs primarily through State money and Federal Title VII. The State provides limited English proficiency formula aid (over $16 million in 1986–1987) for each limited English proficient student and Bilingual Categorical Funds ($4 million in 1986–1987) for implementation of supplementary programs and services. For the last three years, half of the Bilingual Categorical funds have been used to fund a Two-Way Bilingual Education program which I will describe more fully later. The balance has gone to fund five Bilingual/ESL Technical Assistance Centers, and several bilingual and English as a second language teacher inservice programs in New York City.

The Federal Title VII, however, continues to be an integral part of our and other states' efforts to address the needs of limited English proficient students. To this end, I wish to emphasize three issues addressed in the legislation.

TITLE VII AUTHORIZATION/INCREASED STATE ROLE

We applaud your intent to increase the Title VII authorization and to expand the State role in Title VII programs.

In 1985–1986, Title VII funds provided services to only 31,011 students in New York State, which represented only 23 percent of the State's limited English proficient population. We have experienced a steady decrease in Title VII school-base programs in the State since 1980. While 92 Basic programs were funded in 1979–1980, only 81 Transitional programs were funded in 1986–1987. This has resulted in a parallel decrease in the amount of adminsitrative funding for the State Education Department. While the reduction of programs has been ten percent, the buying power has been virtually reduced by one-half.

Title VII has greatly assisted New York State. It has enabled us to improve our testing program for limited English proficient students. For example, the required Regents Competency Tests in mathematics and native language writing are now available in 29 languages. In the 1985–1986 academic year, more than 3,000 native language writing tests and 3,160 mathematics tests were taken and satisfactorily completed by eligible limited English proficient students. These students were able to meet the Regents Competency Test requirements for high school graduation through their native language. This type of activity exemplifies your proposed policy that Title VII enable students to meet grade promotion and graduation requirements. They might otherwise add to the already bleak high school dropout statistics.

Title VII funding has also enabled us to develop a statewide high school English as a second language curriculum. We are in the process of developing a test for that curriculum. Our Title VII State grant has enabled us to prepare and disseminate numerous publications in a variety of languages on bilingual and English as a second language education for teachers, students, and parents. We have been able to plan parent conferences throughout the State in Spanish, Greek, Chinese, Haitian-Creole, and Korean. These conferences and workshops are attended by more than 3,600 parents each year.

These kinds of activities can and must be expanded through increased funding to ensure a fruitful educational experience for the students. If we are also to ensure the availability of an adequate supply of bilingual professionals, monies must be available to properly and fully train them to meet state and local certification requirements.

Additionally, we are pleased that you are seeking to foster through this legislation a more active role for the state education agency in the planning and operation of Title VII. This is particularly important to states such as New York which are implementing significant reform measures. It allows the opportunity to more fully integrate the Title VII program with such efforts. This is especially important since you propose that effective school practices be incorporated into Title VII activities. Many reform programs are based on that body of research and an integrated approach is a must.

However, when one speaks of a greater state or local role, the issue of fiscal support for that increased role must also be addressed. We agree that the Secretary

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should use non-Federal government employees chosen from lists solicited from state directors of bilingual education to read Title VII applications. We believe that this provision will strengthen the selection process by assuring that the best applications are chosen by the most experienced, qualified educators in the field. We also believe that the legislation would be further strengthened by requiring that the Secretary assemble a council of state directors of bilingual education to advise the Secretary in the program's administration. We also agree that, with the elimination of the National Advisory and Coordinating Council on Bilingual Education, direct Federal, state, and local consultations would and should be increased.

These actions also mean, though, that currently limited state bilingual staff must assume additional tasks. Consequently, we suggest that state administrative funding be increased from five to at least ten percent of the Title VII state funding. Whether in this program or any other Federal program, the availability of resources determines the level of technical assistance that can be given or the assurance of program quality.

As an aside regarding funding, you propose that the minimum state grant be increased from $50,000 to $75,000. While this is a welcome provision for some states, care must be taken that it does not result in decreased funding for states with larger populations.

TITLE VII DEVELOPMENTAL BILINGUAL EDUCATION PROGRAM

We have worked toward developing bilingual capacity for all students in the State—limited English proficient and English proficient. Starting in 1986, all elementary school children must study a second language before moving on to high school. In support of that position, a Two-Way Bilingual Education Program was instituted in 1983–1984. The Two-Way program is very similar to the Title VII Developmental Bilingual Education Program which employs English and another language for instruction and involves limited English proficient and English proficient students who are expected to become bilingual. They learn curricula through their own language and through the second language and continue to develop skills and proficiency in their native language.

In 1986–1987, only one Title VII Developmental Bilingual Education Program was funded in New York because there was such a small amount designated for this important program.

This year, there are 17 State-funded Two-Way Bilingual Education projects where limited English proficient and English proficient students are learning Spanish, Chinese, or Greek, along with English. The initial evaluation results indicate that students in these programs are learning about each others' heritage and culture and to respect and appreciate their similarities and differences. This is being accomplished while they acquire the required subject matter taught through their first and second languages. I would like to see this State initiative supported more fully by Title VII.

Consequently, we feel that one of the strongest features in the proposed legislation is the inclusion of Developmental Bilingual Education programs within the reserved set-aside for Transitional Bilingual Education programs. It signals to school districts that this Nation believes that ethno-linguistic roots of our limited English proficient population are a valuable natural resource which must be nurtured and allowed to grow within the educational system. Although the Developmental Bilingual Education program is not new, the added recognition is well deserved for a program which reflects what we consider to be the essentials of bilingual education.

PARENTAL INVOLVEMENT

Pupil performance in school is positively influenced by close involvement of parents with their children's education. When parents understand their child's developmental needs, support schools, and participate actively in the child's education, there is a positive impact on development.

New York state has made parental involvement an integral part of our educational agenda and a focal point of our recommendations in reauthorizations of other legislation. We are very pleased to see its emphasis in your proposals. By providing parents with program information and by educating them about the education of their children, you are providing a key support for a successful educational outcome for the student. We wholeheartedly endorse such an effort.

In conclusion, we support the new provisions being introduced into the 1987 Title VII legislation. Your interest in and concern for the welfare of limited English proficient students in our country is clearly apparent. Thank you for allowing me to

share this information and our concerns about the education of limited English proficient students in New York State and the Nation.

Chairman HAWKINS. Thank you Dr. Ambach. The next witness is Ms. Lillian Falk. Ms. Falk, we welcome you.

STATEMENT OF LILLIAN FALK, COORDINATOR, ENGLISH FOR SPEAKERS OF OTHER LANGUAGES PROGRAM, PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS, MARYLAND

Ms. FALK. Mr. Chairman, I am very pleased to have the opportunity to provide information on the experience of Prince George's County Public Schools with deficient children and with the federal Bilingual Education Act.

It is extremely important to our county that the Bilingual Education Act permit more flexible use of bilingual education funds.

In May of 1986, when our superintendent wrote to Senator Quayle, we had 120 different languages. In the short period of time we have limited English proficient students now with 126 different language backgrounds.

The Prince George's County Public School system in Maryland is the third largest urban-suburban school system in the United States. We have had an ESOL, English for Speakers of Other Languages program, since 1967. ESOL instruction is currently provided for 2,000 students K through 12 in 119 schools by trained teachers, 93 percent of whom are certificated. Our teachers are either native speakers of English or have native English proficiency in all language skills.

I believe that our 19 years of experience with English deficient children and with ESOL as a method of instruction can be useful in addressing a number of issues before this forum such as: Is the number of English deficient growing in the schools? How effectively does the federal Bilingual Education Act meet the needs of English deficient children, and/or does it need amendment in way?

There is no question that the number of English deficient students is growing. The speaker from California indicated that the Los Angeles future demographics are going to be very similar and that their district represents a picture of continued growth. I would like to suggest that even for those congressional members whose districts do not have limited English deficient children, the picture keeps changing. We can expect that Los Angeles is a pattern of future demographics in areas throughout the country. The statistics from the National Center of Education statistics from Immigration and Naturalization Service bear this out.

However, the impact on public schools goes beyond the numbers that can be predicted demographically. Our ethnic diversity has increased rapidly through illegal, as well as legal, immigration. And it increases throughout the school year at any grade level and at any location. To respond to needs as English deficient students enter, means constant adjustment of resources, teachers, instructional materials. We must maintain a structured sequential instructional program that is the same yet different from year to year and within the school year.

As an overall numerical example, in May 1986, we had 1800 students in our program. By November we had 2,000. And since en-

rollment always starts to increase in January or February, we can conservatively predict an additional 100 English deficient students by the end of the school year. In actuality in our country that will be an additional 250.

In operational terms this can mean, as it did recently, that an elementary school which had no prior experience with English deficient students can have 10 enrolled in one day and suddenly request language proficiency testing, in-servicing and an ESOL teacher.

It can be demonstrated that the ESOL approach for English deficient students effectively equips them to function in our schools and in our society. For example, the State of Maryland requires students to pass functional tests in order to graduate. To date, no Prince George's County ESOL student has been denied graduation because of inability to pass these tests. Our recent Maryland functional reading test, our students from Northwestern High School, which is in Hyattsville and has a mixed population—50 percent of the beginning proficiency ESOL students passed the Maryland functional reading test. ESOL students are winners at school science fairs and have even participated in scientific experiments that were selected for space.

In our high schools with significant numbers of English deficient students, the percentage of ESOL students who achieve honor roll status is one-third larger than one would expect from their proportion in the total student body.

Our language minority students are not only in the mainstream, they are participating in Prince George's County programs for the talented and gifted, in our special science and technology programs and in the recent past we had two valedictorians who were foreign-born students.

Many of the non-English speaking refugees who have entered our schools pre or non-literate in their own language, have gone on to higher education after only four years in our high school. We feel very strongly that our ESOL approach provides the very diverse students we are serving with the most efficient, most rapid way of preparing them to understand, speak, read and write English.

We feel we have a special challenge to help our schools educate youngsters from troubled areas all over the world. For the most part, our students are in ESOL for two years. However, some require more ESOL assistance because they have had limited academic experience. Some have great gaps in their schooling. Some secondary students enter non-literate. For all, we begin their school year whenever they enroll, which is at many points during our normal school year. These students have a profound impact on instruction in the regular classroom and in the ESOL classroom.

The federal Bilingual Education Act did not recognize ESOL as an approach of merit and did not help meet the needs of English deficient children in Prince George's County until FY 1986. For that year, for the first time, it was possible for ESOL programs to submit a proposal for Title VII funds under section 21, Part 3. While 72 percent of the proposals for alternative instruction were not funded, we were successful in obtaining a grant to serve our widely dispersed English deficient students.

It should be noted that under the present bilingual education law, only four percent of total funds were allocated for special alternative instructional programs. This very minimal percentage of funds would appear to signal to local boards of education that the U.S. government prefers one method of instruction over others although to date there has been no evidence that the method getting the greatest funding support provides the superior educational approach because there have been so few alternative programs that had research done.

The charge to and responsibility of local boards of education is to determine educational policies and to direct local staff to develop instructional programs to fulfill these policies. Encouraging a special instructional program by preferential funding runs counter to this basic charge.

We believe that the Federal Bilingual Education Act should provide financial assistance for instructional programs serving English deficient students without mandating a specific method of instruction.

The many thousands of local school districts in the country have as many different populations with different characteristics and needs. In order to meet this diversity of need, we urge you to provide funding on a more equitable basis to all approaches of merit.

I would like to add to my statement that we have had visits in our classrooms from both OBEMLA staff and congressional staff. We would be happy to have members of this committee or members of Congress visit our classes. A great many of the classes that were observed had at least 13 languages in each class.

I thank you.

Chairman HAWKINS. Well, thank you.

Could the Chair indicate that it is going to be necessary to confine ourselves as much as possible to the five-minute rule. We will try to keep that restriction in operation. I would caution the members who wish to have a question directed to the witnesses to try to select certain witnesses as opposed to asking and not ask each witness to respond to the same question. Obviously that would restrict the response of a witness extremely unduly, we would assume, because each witness would then be confined to a one-minute response or less. So, let us try to direct the questions to specific witnesses and confine ourselves to the one-minute rule.

Mrs. Chelimsky, may the Chair direct a question to you concerning the GAO report, that you did at the request of the Chairman of the committee? This report was requested because we had heard rather broad statements made concerning the operation of bilingual programs that prompted this report, and I hope that you will indicate whether or not in any way the Chairman of the committee or the committee intervened in any way to direct the results of the report. It obviously was our desire to get as much diversity as possible among the experts in terms of your consultations. I assume that you did that and that the Department was amply represented in terms of its suggestions. But we would like to simply verify whether or not you felt that there was any undue interference or any interference whatsoever by the committee.

Ms. CHELIMSKY. Yes, sir. For the record, there was no interference whatever at any point in the study.

Chairman HAWKINS. Thank you.

Mrs. Whitten, the Chair was disturbed obviously by some of the statements that had been made concerning the operation of the program which also prompted—what we considered to be an objective appraisal of the issue. We thought that by requesting that GAO conduct the study, results would be taken out of the field of personal or political opinions.

The Secretary had called—and I quote—bilingual education "the same failed path on which we have been traveling" and suggested that the current law is "a bankrupt cause." Obviously that disturbed us because if that is so, then obviously we were at fault to continue down that course with him.

Another quote from his was this. "This, then, is where we stand. After 17 years of federal involvement and after $1.7 billion of federal funding, we have no evidence that the children whom we sought to help, that the children who deserve our help have benefited." Now, that is a very broad statement. Do you agree with that? And do you have any——

Ms. WHITTEN. Yes, sir, I do within the context of the speech.

Chairman HAWKINS [continuing]. Source of evidence to suggest any support for such a statement?

Ms. WHITTEN. Those statements were made within a context of a speech launching the Bilingual Education Initiative two years ago. It was made broadly referring to the federal role in bilingual education.

Since then we have initiated many reforms. They have been legislative proposals. They have been administrative, and they have been regulatory. The bilingual education program was created as a capacity building program, a seed building program. When we looked at it at that point in time, we found that not a majority, but at least 43 percent of the programs we were looking at at that time had been receiving funds for over seven years. Clearly the money was not being used the way it had been intended, as a seed building program.

We saw many problems within the program. We saw the legislative history which indicated that the program in your efforts to create a program to address the needs mostly of Hispanic students at that point in time, because of the high dropout rates at that point in time, that this was the method sought. Ten years later you have come full circle and created a program that recognized the fact that there was a need for different methodologies, and you put in the four percent.

Well, within that whole time what we found was that still—for example, with the Hispanics which make up 80 percent of the limited English proficient students, the dropout rate was still at 50 percent. Eighty percent in New York City, 70 percent in Chicago.

We are not saying that there is a direct correlation with that. We are just saying that this was your desire to create a program to meet the needs of these children. And clearly more must be done. And we are trying to make this a program that is as efficient and meets the needs of these children as best as we can. And we believe

that through allowing all methodologies it will better address their needs.

Chairman HAWKINS. Well, you really did not answer the question. The question is directed to the veracity of that statement. Then you started discussing the past.

Are you saying that the statement is no longer true, or that the statement—

Ms. WHITTEN. No, sir. I am saying that within——

Chairman HAWKINS [continuing]. Is true, or that the statement was not true?

Ms. WHITTEN [continuing]. The context of the speech that the Secretary made, the statement was correct.

Chairman HAWKINS. You say as of two years ago that statement was correct.

Ms. WHITTEN. Yes, sir.

Chairman HAWKINS. And on what evidence did you base that statement two years ago? What body of evidence, what authority did you base it on?

Ms. WHITTEN. There is a broad body of research that states it is inconclusive with regard to the merits of the——

Chairman HAWKINS. Would you cite the research that states——

Ms. WHITTEN. The World Bank study, the Center for Applied Linguistics, the National Center of Bilingual Research, the Rothberg study in the Harvard Educational Review, the 1986 Racell study in the Journal of Law and Education, the recent Congressional Research Service study made in 1986 which says the lack of conclusive research precludes determining the most effective approach for LEP students.

There is great debate, and obviously we could all sit here and duel research back and forth.

Chairman HAWKINS. Well, certainly we agree there is a lot of debate.

Are you saying that the statement is true today?

Ms. WHITTEN. Which one, sir?

Chairman HAWKINS. That the money we are expending on this program is being, in a sense, wasted because the children in the program are not benefiting from it.

Ms. WHITTEN. That the children that we sought to help, meaning the broad body of limited English proficient children——

Chairman HAWKINS. There are many children who are not benefiting from the program obviously because you do not support any additional funding for the program? There are a lot of them who are not in the program who obviously are not benefiting because they are not in the program. That is logical I would say. But are the ones who are enrolled in the program itself today benefiting from it or not benefiting from it because if they are not benefiting from it, then we are obviously wasting the money? So, it is a critical point, it seems to me.

Ms. WHITTEN. We believe that the program today as it is being run within the constraints of the current legislation is being run properly. We believe that the program could better meet the needs of these students, and we believe that the needs of all of limited English proficient students could be better met with flexibility.

Chairman HAWKINS. Thank you for your answer.

Mr. Goodling.

Mr. GOODLING. I have two questions for Dr. Handler and Ms. Falk, and one question for Dr. Ambach.

Dr. Handler and Ms. Falk, as I understand it, today of the young people coming to this country many have very little formal education to start with, which is different than when I was in the business. The first wave of Vietnamese that came were very well educated and their parents, of course, spoke English.

Is that true? Is there less formal education even in their own language?

Ms. Falk. Yes, that is correct. And it is not limited to the Indo-Chinese students. It is also true of students from Central and South America where there are wars on or political kinds of problems.

Mr. GOODLING. Are you finding the same, Dr. Handler?

Mr. HANDLER. For a range, sir, from no formal education to really quality backgrounds as far as education is concerned. The students coming from the Asian countries have a higher probability of having had more formal schooling. The students coming from Mexico and from Central America have a higher probability of not having had the formal education.

Mr. GOODLING. And my second question to both of you would be it kind of blows my mind, the whole idea of teacher certification. I read a lot of statistics indicating that we have a real crunch coming as far as teachers available to teach any subject with proper certification more or less beyond even being qualified.

Are you having a serious problem at the present time in trying to deal with foreign languages? And I have to always reflect on my own experience even though there were Spanish teachers available, I had a very difficult time even then trying to get anyone who was qualified. Are you having a serious problem in dealing with this whole business of having teachers who understand the language, can teach the language, can speak in the language particularly that the student is using?

Ms. FALK. We do not teach in the language that the student is using. We teach in English. We have a limited number of bilingual aides in some schools.

Mr. GOODLING. In other words, parents of children in many instances?

Ms. FALK. No, they are not parents. They were people who were highly educated in their own country who we did a search through the Center for Applied Linguistics in locating these people so that they are—though they do not have their credentials with them. But we have Cambodian-Lao trained teachers who are assisting the students in concepts. Now, we only have two of these people in the schools that have a heavy impact of students who speak either Cambodian or Lao or Thai.

Mr. GOODLING. Even certified Spanish teachers that have any quality.

Ms. FALK. Mr. Goodling, I am not in the foreign language department. ESOL is——

Mr. GOODLING. You are not aware.

Ms. FALK [continuing]. Part of the instruction, but I do not really know what the problems may be there.

I will tell you that so far we have not had a problem in locating highly qualified ESOL teachers.

Mr. GOODLING. Dr. Handler?

Mr. HANDLER. At this time we have slightly in excess of 6,000 classrooms in which the transitional program is utilized throughout the district. Slightly more 1,500 of those classrooms are staffed by fully credentialed bilingual teachers, and that takes a considerable amount of work and proficiency. Just short of 3,000 of those classrooms are staffed by teachers who are on waiver. That means they are working toward the credential and receiving assistance from qualified aides. Approximately 1,500—the remaining 1,500 classes are taught by a combination of team teaching with people who have the credential and aides.

Mr. GOODLING. Now, the large number with credentialed teachers—are they in just several languages or——

Mr. HANDLER. Primarily Spanish, but we do have many teachers who are teaching Korean students, teaching Filipino students. And we have one junior high school that has more than 500 non-English speaking Armenian students, limited English and non-English speaking Armenian students, where we do have Armenian teachers who speak Armenian.

We do have a shortage overall of qualified teachers for these classes. And I am separating this from the question as to the two years of Spanish or Latin or German as part of the high school program.

Now, my personal belief is that it is important to continue the program as it is because it motivates people to obtain these additional credentials. And it will lead to a larger base of people who are able to communicate in more than one language. And we have noticed that we have been able to recruit more people for these classes while still having a shortage.

As far as the high school situation and junior high school situation is concerned, yes, we are beginning to show signs of a shortage of qualified language teachers. But that is related to a number of variables that are more directly related to teacher recruitment than it is to bilingualism.

Mr. GOODLING. And Dr. Ambach, very quickly. If the information is correct, I am told that you have a good many ESOL programs in New York.

Mr. AMBACH. Yes, sir.

Mr. GOODLING. Is that correct?

Mr. AMBACH. That is correct.

Mr. GOODLING. How are they working out?

Mr. AMBACH. They are working well, as well as the transitional bilingual programs are working well.

Mr. GOODLING. And did you have those before the four percent or did you use—not worry about federal funds in order to develop those?

Mr. AMBACH. By and large they are either supported locally or by the state.

Mr. GOODLING. Thank you, Mr. Chairman.

Chairman HAWKINS. Mr. Kildee?

Mr. KILDEE. Thank you, Mr. Chairman.

Dr. Chelimsky, you mentioned that in studying the various statements in the Department on bilingual education, which was your charge, that they tended to understate the effectiveness of native language instruction and to overstate alternative methods. That was I think the thrust of your findings.

Maybe you cannot or care not to answer this question. I am not sure. But do you know why they may have understated one and overstated the other?

Ms. CHELIMSKY. Oh, I could not possibly speculate on that, of course.

Mr. KILDEE. Okay.

Ms. CHELIMSKY. The Department knows that. I do not know that.

Mr. KILDEE. Yes. I anticipated that answer, but I am wondering.

Ms. CHELIMSKY. Yes, I see you did.

Mr. KILDEE. Right. And I am wondering myself why they would underestimate one and overestimate the other.

Ms. CHELIMSKY. I could make one point about that, and that is it does seem to me that there is train of logic that goes on in the way the Department has made its case that strikes me as interesting. To say, first of all, that there is a method mandated in the act, when in fact the act says we will use native language to the degree that it is necessary—that is all it says. As people have remarked here, there is a great deal of flexibility already in the act. But the remarks have been that no, this is a pedagogy dictated from Washington.

What happens when you say that is that then it becomes necessary for transitional bilingual education to be evaluated as uniformly affected in every time and every place so that what happens then is that you have a higher standard for the one than you have for the other. And that may simply be the result of that kind of logic.

The same is true for the business of the two goals. To say that the act only has one goal, teaching English, is to ignore the other goal of the act which has to do with keeping people up to date in all of their subjects. And so, then it becomes a question of evaluating all of the alternatives only on the issue of whether they teach English well.

So, what I am seeing is a sort of different set of standards.

Mr. KILDEE. Kind of what they measure then.

Ms. CHELIMSKY. Exactly. It is a measurement issue.

And I think that perhaps you could say that that is the reason that it came out that way. Now, why that was done is another issue.

Mr. KILDEE. I really believe and I have always—when we reauthorized the last time, I was chief author of the bill, and I stressed on the floor particularly for substantive, and I guess strategic reasons too, that the purpose of bilingual education was to help that child achieve proficiency in English. And having said that—and that is the purpose and we really restated that—I do think that there is great value, not only to the person, but to the nation when we help them retain and gain proficiency in their native language.

We are the most monolingual country in the world, and right now we are competing in a trade situation and not very effectively. As a matter of fact, virtually every foreign businessman who comes

to Flint, Michigan, where we are suffering, speaks English. Almost everyone sent over to Japan does not speak Japanese. So, while the purpose is proficiency in English, I think much is gained by the individual if they wind up being truly bilingual not only for their own well-being, but for the well-being of the nation.

Having said that, of course, I still stress the proficiency, but very often maybe that is the only thing they measure in their studies.

I would like to state too, I think, Ms. Falk, you mentioned that the four percent that we have—and that is the figure we have in the bill. But that four percent can go to ten percent if we increase the appropriation. And I put that in last year to ten percent. As a matter of fact, that ten percent really is 17 percent of the instructional part. So, there is 17 percent flexibility if the Administration shows a stronger belief in bilingual education. But they have shown, as we would say in theology, some backsliding because in the early 1980s we were funding bilingual education at $166 million. Now we are down to $143 million. These are actual dollars, not adjusted for inflation. So, there has been some pedagogical backsliding here.

Now, if we were to fully fund bilingual education, we could have 17 percent of the instructional dollars being used for alternative methods. So, that I think—and why I say that, because I know the four percent—and you are correct in taking that figure from that bill—is thought to be frozen there. It is not frozen. The Administration with a stroke of a pen can raise it up to as much as 17 percent, and then perhaps we could try some other methods and see what we can learn from them. But let's not just put the money out on a stump and have everyone try every new method without any track record on that method.

Ms. FALK. If I may speak to that for one minute. I have heard a lot of people talking about how flexible the bilingual act is. In fact, it may be very flexible for people who have exclusively bilingual programs, but it is very inflexible for those of us who do not do bilingual and who only do ESOL. We, in fact, could not even apply for federal funds until FY 86. So, I do not know what all this flexibility is about. It certainly does not give local educational agencies who want to use methods other than bilingual any kind of flexibility.

Mr. KILDEE. Just to respond, and I appreciate your response, if we did have full funding though, we could go up to 17 percent. And that would help situations.

Thank you, Mr. Chairman.

Chairman HAWKINS. Mr. Jeffords.

Mr. JEFFORDS. Thank you, Mr. Chairman.

I, of course, am interested in this bill because I feel that there is nothing wrong really with giving the states more flexibility. I guess the argument that I am intrigued by is, well, you do not need to change it because it is already flexible. Then what is the fear of making it very obvious that it is flexible? And that is where I do not quite understand. I would tend to agree that it is not as flexible as some would try to indicate, or if it is supposed to be, then we ought to make it that way. That is basically what I am trying to do here. So, I would appreciate—I am a little confused at understanding why it would be so bad if people say that they really think it is

flexible as to why we just do not just say, hey, it is flexible. What are the—okay, go ahead.

Mr. HANDLER. This may sound strange coming from a superintendent. Superintendents are always asking for flexibility. My response will be a little lengthy. I apologize. I will try to speak as rapidly as possible.

I grew up in East Los Angeles. East Los Angeles is that part of the city that is predominantly Hispanic. It was predominantly Hispanic then. It is predominantly Hispanic now. In my graduating class from junior high school there were 10 students who were non-Hispanic white.

As I went to school and watched the process of you may not speak Spanish on the playgrounds, you may not use Spanish here, you may not speak Spanish there, and it is English only, and watched my friends drop out of the school at a very rapid rate, not knowing I was going to be a teacher at that time, let me tell you I became assured that the process did not work.

What I have not seen anyone put it to date, is all of the data that can be collected through the '30s and the '40s and the '50s that clearly demonstrate that the old way, the way we used to do it, did not work. I continue to hear about dropout rates today, but if you go back and take a look at dropout rates in the '30s, '40s and '50s, those dropout rates were far more significant than are the dropout rates today. But I have not seen a review or a comparison of those data.

Now, let's talk about flexibility. There is a great debate going on in California right now relative to flexibility. And while I have great respect for other superintendents—I have great respect for the people I work with and know that in most cases they know far more than I do—it is the quiet little whispers that really suggest that greater flexibility is a way to avoid becoming involved, a way to avoid becoming committed, and a way to avoid working toward this nation becoming a nation in which all students will eventually be required to take more than one language and a way to work to avoid the problems inherent in establishing a special program for non-English speaking students.

When I continue to hear about ESOL programs and ESL programs, then I cannot help but recall the programs we ran in the district which were strictly ESL. And I will say this, and I will lose many friends for saying it. If it is strictly ESL and you want flexibility, you really do not need federal dollars because within your own budget you can operate those programs without assistance.

Mr. JEFFORDS. Yes, go ahead.

Ms. WHITTEN. Mr. Jeffords, I would like to say for the record, first of all, as you know, the Bilingual Education Act was built on two pieces of civil rights legislation: the Civil Rights Act of 1964, the Elementary and Secondary Education Act of 1967, both of which said that the non-English speaking students had their rights denied and were entitled to rights of being taught in their home language. That was later, as you know, backed up by the Lao decision.

We are not in any way advocating going back to the time when the child was not receiving any help of any kind. What we are talking about is flexibility within the current legislation. That flexibil-

ity means two things. First of all, we have put in as much flexibility as we can. We have put in flexibility within a program of transitional bilingual education where a program of transitional bilingual education can choose to use the amount of home language that they want to the extent that they deem necessary. However, we have not put in flexibility for the school district to determine what program they want originally.

As you well know, this is the only program that a school district can apply for for seed-building money. It is the only program that provides capacity building money. It is a discretionary program and it is a program that funds excellent programs. It is a program that is meant for the local level to be picked up after three years or five years, depending.

The flexibility is not there for the school district to make the original determination whether they want an immersion program, ESL or bilingual education. And that is why we need the removal of the cap.

Mr. AMBACH. Congressman Jeffords, my neighboring state, I think that my statement was made before you joined the hearing. And I do not want to go back and repeat it all, but I would like to make just a couple of points.

In services to children of limited English proficiency, we are looking at a combination of funds which come from local, from state and from federal levels. And as I said earlier, and I repeat, I think that the principal issue here is what kind of an overall policy direction does the federal government wish to state. And I strongly urge that keeping it at the four percent states that the principal concern is with bilingual education.

And I believe that is exactly where it should be for the purposes—not only with equity, which have been described here, and the concern about the individual child both being able to learn English and also to learn other subjects at the same time, but indeed, perhaps one of our nation's major challenges to develop a capacity for our citizens and residents to be able to communicate with the rest of the world.

And I think that is perhaps not an objective which the bilingual program started with some years back, but it is clearly an objective with which you must be grappling right now. And I think that message of this component of federal aid being particularly focused this way is a very important message to get across.

Mr. JEFFORDS. Thank you, Mr. Chairman.

Chairman HAWKINS. Mr. Martinez.

Mr. MARTINEZ. Could I have 20 minutes? [Laughter.]

Chairman HAWKINS. You are asked if the question you are going to make is a 20-minute speech.

Mr. MARTINEZ. But for the record I would like to—I have a statement that I would like entered in the record.

Chairman HAWKINS. Without objection, so ordered.

[The prepared statement of Hon. Matthew G. Martinez follows:]

PREPARED STATEMENT OF MATTHEW G. MARTINEZ

Bilingual Education is one of the most vital issues that will be considered in this Congress. It will help determine whether this country will continue to build the American community by opening the doors to opportunity for all its citizens, or will

isolate its minority language citizens, dividing the country into linguistic haves and have nots.

I know firsthand the importance of languages. I went to school back when they punished you for saying anything in your native language—unless your native language happened to be English. This early school experience gave me—like most children who go through the ordeal—serious and unfounded doubts about my family and myself. It took me, like many others, years to undo the damage.

My grandchildren have been more fortunate. They are fluent in both English and Spanish. And they perform outstandingly in school. This pattern is not unusual. Increasing empirical data suggests that learning multiple languages early provides a child with a big plus in developing other cognitive skills. Rather than creating roadblocks to learning through yesterday's inflexible policies, research is showing how gates to opportunity can be opened to all our citizens.

For California, as for America, this is a major issue. There are over half a million limited English proficient students in California. Dropout rates among minority language students are shamefully high—two out of every five Hispanics and American Indians drop out of school. In dropping out of school they also drop off the ladder of opportunity. Language is an essential part of identity. Some of our most successful minorities—including our Jewish and Japanese citizens—have done an unusually good job building English proficiency while retaining their language and culture. By developing and reinforcing knowledge of who we are, we take an essential step to build the future. This program is important to California and the nation.

There is a serious shortage of programs for building the language skills of our older citizens. The Los Angeles Times reported last fall that Los Angeles Unified School District would turn away 40,000 applicants who want to enroll in Adult English classes that are already filled to capacity. Many areas of our country face similar problems. It is clear that in California and the rest of the nation this program is doing important work, but it needs to do more.

There are several fallacies in popular perception of the bilingual education program which must be cleared up. Three of the most important fallacies are:

Fallacy No 1: "It's a Program for Immigrants": In fact there are an estimated 28 million persons (1 in 8) in the US whose native language is not English. Contrary to general belief, 2 out of 3 of them are not foreign but native born. These include Navaho, Cajuns, Hispanics and others whose ancestors were among the first settlers of this country.

Fallacy No. 2: "Kids Don't Learn English in the Program": In fact, English is a major part of the bilingual program from day one. The average stay in the program is only 2 to 3 years. Indeed there is much evidence that most kids are not staying in the program long enough. Too often success in the program is defined in terms of the rates at which students exist from bilingual classes. This is despite the fact that mounting evidence indicates that the programs best at building academic excellence are those that continue to provide development of both native language and English language skills for considerably longer periods of time. We need to move from this musical chairs approach to build effective schools that build academic excellence. Moreover, the existing program is reaching a very small portion of the students who could benefit—and the existing programs often suffer shortages of qualified teachers. Too many programs are bilingual in name only. The fact is that when well implemented, the program works well. We must ensure that resources needed for programs that work are available. The issue is not how long a child warms a chair in a classroom, but what is done in that time, and why.

Fallacy No. 3: "Teaching English is the Only Goal of Bilingual Education": There have been many statements, including recent statements by Secretary Bennett that suggest that the only goal of bilingual education is teaching English to kids. This is a goal—a major goal—of the program. However the authorizing legislation makes perfectly clear that building academic excellence, helping kids make progress in school is the other major goal of the program. A child who is not proficient in English is not prepared for life in the USA. But a child who does not have command of math, sciences, history, and other fields of knowledge is not prepared for life in the USA either. We simply cannot afford to go back to the bad old days when 80% of the kids who were not proficient in English simply dropped out. The manual jobs that allowed earlier generations to learn as they earned are quickly vanishing. Today a strong back is not enough to succeed. Learning English is one goal of the program; building the knowledge needed for effective citizenship and for tomorrow's jobs is the other major goal. You cannot effectively pursue one of these goals without pursuing the other. We cannot let minority language kids go back to sinking or swimming in English only courses while the ship of opportunity sails away into the future.

Everyone is entitled to their own view. However, they are not entitled to their own facts. The recent GAO report, "Bilingual Education: A New Look at the Research Evidence" makes it clear that the experts in education do not agree with this Administration's assault on bilingual education. In the words of the report, "only 2 of the 10 experts agree with the department that there is insufficient evidence to support the law's requirement of the use of native language to the extent necessary to reach the objective of learning English. Second, 7 of the 10 believe that the department is incorrect in characterizing the evidence as showing the promise of teaching methods that do not use native languages. Few agree with the department's suggestions that long-term school problems experienced by Hispanic youths are associated with native-language instruction. Few agree with the department's general interpretation that evidence in this field is too ambiguous to permit conclusions."

To survive and thrive in the emerging world all our students should be proficient in more than their native language. To lament that America is not competitive and then to cut back on the very programs that build skills we need to compete is a terrible contradiction—a contradiction that America cannot afford. This Administration has once again requested no funding for its international education and foreign language studies programs and seeks to recind the fiscal 1987 appropriation for these programs. I suggest this "know nothing" approach to educating our future workforce and citizens is a luxury our country cannot afford. Minority language students have special problems. If we do not help them help themselves now we will pay later in unemployment, and social problems.

Bilingual Education is a program that works. That is why the legislation that is being introduced today does not call for major changes in the current ESEA Title VII programs. It does not make major changes because they are not needed. The changes that it does make—such as expanding parent involvement, expanding administrative flexibility, expanding state role provide useful fine tuning.

While this is a fine program, a program that works, there is room for improvement.

I am concerned because the current program reaches only a fraction of the students who need it.

I am concerned because there are serious shortages of qualified teachers for these programs.

I am concerned because the technical information and assistance needed to help teachers evaluate students is too often not available. This leads to less effective teaching—including keeping students in bilingual programs longer or shorter times than is appropriate for the students.

I am concerned because "effective schools" and excellence in education too often are treated as something that has no relation to Title VII. I am concerned because language minority students are seriously underserved by programs for identifying gifted and talented students. We need to identify the role of this program in building academic excellence and reinforce its role. More and more evidence points to the effectiveness of these programs—and we need to build on this foundation.

I am concerned because too many minority language adults—including parents of young children fall between the cracks of English language and literacy programs. We need to strengthen and reinforce programs of Family English which serve these citizens.

In sum, this is a program that works and works well. Too often Bilingual Education is thought of as a program for the poor—while the big bucks families send their children to schools where their children can learn a foreign language to gain an advantage. As report after report on education and on international competitiveness has made clear, Americans lag in language learning. This is a program that integrates rather than isolates Americans; it builds competitiveness rather than undercutting it. It is fitting that in this year—declared by our President to be the "Year of the Reader", and this year which marks the 200th Anniversary of our nation's Constitution—that we act to build the American community, and to give all Americans the skills they need to be productive and responsible citizens.

World politics and the emergence of a world economy make knowledge of the world's cultures and languages increasingly essential to our prosperity and security. Miami, New York, and Los Angeles thrive because they can do business with the world in a multitude of languages. Whether in Madrid, Moscow, Peking, Tokyo, Teheran, or El Salvador, ignorance of local ways and sayings can only hurt America's diplomats, soldiers, and businessmen. Having many citizens who can speak two or more languages provides America with a powerful resource. In its diversity of second languages the United States is uniquely blessed.

Mr. MARTINEZ. In a part of that statement I talk about when I was a kid and went to school in the era that you talked about in the '30s and what happened then. You were punished if you did not speak—if you spoke in your native language unless your native language was English. And I remember the statement repeated by so many teachers. You are in the United States now. You will speak English only.

And maybe that was on their part a concerted effort to get us to learn English, and maybe it was well-intentioned. But it did a greater harm. And let me tell you about that harm that has never addressed in any of the debates I have heard.

What happens to the self-esteem of that individual who has been treated that way, he develops great doubt in himself, doubt that he has to combat over the years until he finally eliminates it. Many of those people that went to school at the time I did suffered through that, and ended up that statistic you are talking about, the drop-out. They felt they were dumb because they did not learn the other subjects while they were trying to learn English because they did not understand those other subjects. And that is bilingual education.

Mr. Jeffords talks about the flexibility. We are talking about flexibility within the bilingual program. The lady without realizing stated very well what her program is. Her program is an immersion program which exists for over half of those students that are in the United States that English is the second language.

We have 500,000 K through 12 students who do not speak English. Only 200 of them are receiving bilingual education, and bilingual education is bilingual education.

Let me ask a question of Ms. Falk. You went out and searched for a person to be an aide who spoke the native language of that student. Why did you do that?

Ms. FALK. We did that because we felt that the impact in that particular school was so great and there were absolutely no people in that school that spoke either Cambodian or Lao. We have no problem with finding teachers who speak Spanish. We have no problem with finding parents who speak Spanish.

We have, in fact, many teachers who happen to be bilingual in many languages, but they do not necessarily match. I have teachers who speak Arabic. They do not happen to be in the schools where our Arabic students are. I have a teacher who speaks Amharic, and he does not happen to be in the schools where our students from Ethiopia happen to be. In these particular schools—and I am talking about two schools—we had a number of students who had been in the camps in Thailand or in the Philippines for about five years, had had absolutely no education. The impact was enormous and we felt that we could give support to the students and to the classroom teacher. We have not found other language groups that have that kind of impact on the total classroom situation in any of our schools.

Mr. MARTINEZ. Envision a district with 60 percent Hispanic, all right? And just what you said there. There is the need for that bilingual teacher. You prove a case in point.

Ms. FALK. No problem. I would like you to envision the opposite. We have 127 languages over 400 square miles.

Mr. MARTINEZ. It is 137 by your list.

Ms. FALK. That is right. If we had done bilingual when we had an impact with Farsi students, if we had told the teachers, please go get training and become bilingual in Farsi because we have an enormous impact in these schools in Farsi, they would now be out of jobs because there are no Farsi speaking students coming.

Mr. MARTINEZ. I have very limited time, and I want to ask another person another question. And I guess the answer to your question really is what you say is because of the impact you felt it was needed. And so, I say where there are large populations of a particular minority or a language, that there is a need for that kind of instruction—bilingual.

Understand why I am making that difference. Because what you say is your program is not bilingual. The bill is for bilingual programs. So, yours would not come under it under flexibility. It would have to come under an educational separate fund which you do need to be provided for. But the bilingual education fund is for bilingual programs.

Ms. FALK. Well, there is an alternative.

Mr. MARTINEZ. And within those there is the flexibility that is needed for different types and methods of bilingual instruction so that a child—where the impact is as great as you suggest in this one situation, is great enough that we need those kinds of teachers. And that is where the lack is in providing——

Ms. FALK. Our teachers are not teaching in Cambodian or Lao. They are——

Mr. MARTINEZ. They are helping the transition.

Ms. FALK [continuing]. Explaining the concept, and then they are teaching in English.

Mr. MARTINEZ. But explaining in their own native language——

Ms. FALK. That is true.

Mr. MARTINEZ [continuing]. Is the transition.

Ms. FALK. That is certainly true. And what I am saying is that the alternative cap should be lifted for those districts that have not 60 percent of one language group, but a great many language groups, and their chosen method is an alternative to bilingual.

Mr. MARTINEZ. I think what you are suggesting is that there needs to be another funding mechanism for another kind of program——

Ms. FALK. No, I do not think so.

Mr. MARTINEZ [continuing]. Because I do not think we would want to dilute the bilingual education programs that are so necessary in so many parts of this country and especially in the California area.

Ms. WHITTEN. Mr. Martinez, not all school districts that have just one homogeneous group also want to use bilingual education. There are many school districts, even in Texas for example, that are choosing to use what certain parts of their—or certain neighborhoods in their community use immersion for their Spanish speaking students because they have chosen that.

Mr. MARTINEZ. Ms. Whitten, when you say that, you say that with the same regard that you talk about the researchers that did not say—that said there was not sufficient research because they chose to ignore that information that was available. Those teachers

who do not want to teach that bilingual program—if the teachers—it is not the teachers, it is the administration who make that decision, not the people who need the education.

Ms. FALK. Sir, McAllen, Texas——

Chairman HAWKINS. Mr. Bartlett.

Mr. BARTLETT. Thank you, Mr. Chairman.

Mr. Chairman, Mr. Goodling before he left asked me to ask unanimous consent on his behalf to enter two additional letters into the record regarding the GAO report.

Chairman HAWKINS. Without objection, so ordered.

[The letters follow:]

MARCH 19, 1987.

Congressman WILLIAM F. GOODLING,
Committee on Education and Labor,
Rayburn House H.O.B., Washington, DC.

CONGRESSMAN GOODLING: The General Accounting Office report has not persuaded me to revise my judgment: the research on bilingual education is too inconclusive and politicized to provide a basis for federal mandates.

Furthermore, I question the scientific validity of polling 10 experts in this manner; the selection of a different panel of experts might well have produced different findings. If Congress or the General Accounting Office is seriously interested in probing the quality of research on this important and sensitive issue, it should commission a study from a nonpartisan organization of scholars, like the National Academy of Education, which has no ax to grind and no vested interest in the results.

Sincerely,

DR. DIANE RAVITCH,
Professor of History and Education,
Teachers College, Columbia University.

OAK PARK, IL, *March 19, 1987.*

Hon. JAMES M. JEFFORDS,
Committee on Education and Labor,
Rayburn House H.O.B. Washington, DC.

DEAR CONGRESSMAN JEFFORDS: At your request, I am submitting comments regarding the GAO report "Bilingual Education: A New Look at the Research Evidence."

Based on the final report I see no reason to alter any of my views regarding the poor quality of the bilingual research literature or about the obvious biases of so many of those involved in bilingual research.

I am disappointed to see in the final report that GAO has removed from the text one of the few relevant cautions originally included. Originally, GAO's summary concluded with a paragraph which included the following: ". . . first, a good deal of research in weak . . . in the long-run better designed studies are needed . . ."

I fully agree with my co-panelist Dr. Paulston, who wrote in the article the panel was given to read "the field of research on bilingual education is characterized by disparate findings and inconclusive results."

I take issue with GAO's presentation of the panel survey as representing a consensus among experts. Ten experts were asked six questions. The majority votes were 6, 5, 7, 7, 6, and 5. This is about as great of consensus as you would get by flipping a coin. There is no consensus for or against the Department's position.

If this literature was compelling or conclusive in its policy implications, we would expect at least eight panelists in agreement. There is no consensus in the panel, and this reflects the inconclusiveness of the research.

I stand by my letter of September 22, 1986, which is on pages 71 and 72 of the GAO report as part of Appendix 4.

Sincerely,

HERBERT J. WALBERG.

Mr. BARTLETT. Mr. Chairman, a couple of comments to try to put perspective and then some specific questions.

First of all, there are—just to bring us back to the base, just to bring us back to where we should start from, there are two goals of bilingual education: first, the acquisition of English, and the second is maintaining grade level in other courses. I often find that the two sides tend to differ in that one will say that there is only one purpose, and the other one will say, yes, there is only one purpose, but it is the other purpose. And there are always two purposes.

Second, it seems to me the goal of this committee and this Congress ought to be to make federal law fit into the realities of the classroom and fit into the realities of both state law and the realities of the classroom. And we have had testimony today that both in Maryland and in California and in New York—and I can tell you also in Texas and all over the country—that administrators and teachers are attempting using all kinds of curriculum to teach limited English proficient students. And we ought to set up a way for federal law to assist in that, and to stand in the way.

And third is that it is not a political question or a social question. It is an education question. And in that sense and only in that sense, I have to say I was disappointed at least in the results of the GAO study because it served to make an already controversial subject even more controversial. And in that sense I am occasionally disappointed in the Administration in that the Administration is sometimes its own worst enemy in making an already over politicized subject even more politicized. And I know that neither the GAO nor the Administration intended that, but that is one of the results.

Ms. Whitten, my first question is, is under your proposal for additional flexibility of grants, how would you assure and how are you assuring now under alternative instruction that students will continue to achieve their education in other courses to continue to grade level?

Ms. WHITTEN. Mr. Bartlett, as I said before, as you know, we only fund excellent programs. We are a competitive program. Therefore, grantees must submit proposals to us which will show how they plan to meet the language needs of their students while ensuring grade promotion and graduation requirements. Those grantees compete against each other and the best grants are chosen.

At that point it is incumbent upon us, once we fund those grantees, to ensure that they are meeting their objectives. And we monitor very strongly. We have increased our program officer load. We have increased travel for program officers, and we keep in constant touch with our grantees.

Mr. BARTLETT. If we were to increase the percentage of flexibility under alternative instruction, would you see a need to increase the strength of your regulations for those grants with regard to maintaining other grade—other course, grade level and other courses?

Ms. WHITTEN. It is working for the four percent. There is no reason to think it would not work overall.

No. I would like to say one thing though. You know, there is the impression being created that ESL and immersion is only used by uncaring school systems and that ESL and immersion only produces kids that speak English, and that ESL and immersion does not really have that great a need. And that is just false. It is not

being used by uncaring administrators, and it is not just producing proficiency in English. It is producing proficiency in all subjects.

As you well know, when we visited schools in Dallas at Fannon Elementary School, we saw a classroom for Hispanics that were being taught in TBE. We saw a classroom for children that were Afghan, that were from all different countries being taught in immersion. And their results at the end of the second grade were the same.

Mr. BARTLETT. I think you are correct. Once you get beyond the politics of the situation in the classroom all over the country—and we had testimony that it is happening in New York and I know it is in Texas, and in Maryland and all over the country—ESL is a legitimate curriculum in some cases.

And I think what Congress ought to grapple with is how to fit federal law into compliance with state laws.

We had testimony from Dr. Ambach a little while ago that you are using ESL. Is that—as you use ESL, Dr. Ambach, are you prohibited then from using federal funds for ESL, or how do you believe that——

Mr. AMBACH. Well, I responded earlier that primarily the ESL programs in New York State, which go way, way back, long precede the federal bilingual program, are state supported or they are locally supported. There are circumstances in our state, and I believe in other states, where you do have very, very limited numbers of children in different languages, and sometimes it is frankly impossible to be able to provide for them a genuinely bilingual program.

And the question then is whether you do nothing or whether you provide something that is very direct to their needs. And in New York State with our state funding and local funding, we do provide for those needs.

Mr. BARTLETT. Do you believe the federal law should prohibit you to use federal funds for those needs?

Mr. AMBACH. No.

Mr. BARTLETT. Pardon?

Mr. AMBACH. I do not believe so, not up to the limits within this statute.

Mr. BARTLETT. Doctor, I am not sure I understand your answer. You believe that federal law under Title VII should prohibit you from using Title VII bilingual money for ESL?

Mr. AMBACH. No, I did not say that.

Mr. BARTLETT. You think they should be permitted or prohibited?

Mr. AMBACH. I have not said that. I have said you ought to keep the federal law essentially where it is. The only issue here is what percentage you put on for the cap. I have not suggested at all that you change the other provisions of the federal statute with respect to limitations.

The only question which I think provides a difference between what has been the bill proposed by the Chairman and the bill from the Administration in this respect is the question of what size cap to put on.

Mr. BARTLETT. Dr. Ambach, I am not trying to be semantical. I really am trying to understand what you would propose us to do.

With the exception of the four percent cap, which as Mr. Kildee said, could go up to 17 percent. It is 5.7. Well, with that exception of the part that is set aside for alternative instruction, do you believe that you should continue to—do you believe that you should be prohibited from using federal bilingual education money for ESL curriculums?

Mr. AMBACH. No.

Mr. BARTLETT. You do not believe you should be prohibited.

Mr. AMBACH. That is correct.

Mr. BARTLETT. Do you believe you are prohibited now?

Mr. AMBACH. No.

Mr. BARTLETT. Are you using federal bilingual education money for ESL?

Mr. AMBACH. To my knowledge—I would have to check with all of our projects. And what I frankly would appreciate, Mr. Congressman, would be the opportunity to make that specific check and then provide information for your record.

Mr. BARTLETT. Mr. Chairman, I would ask unanimous consent to keep the record——

Mr. AMBACH. Because you are asking really about all of the different hundreds and hundreds of projects which we have. And I really do not believe that an off-the-top-of-the——

Chairman HAWKINS. Dr. Ambach, would you provide the information requested to the committee——

Mr. AMBACH. Certainly.

Chairman HAWKINS [continuing]. And make it available to the members of the committee?

Mr. BARTLETT. Thank you, Mr. Chairman. If I could have 30 seconds?

Chairman HAWKINS. Well, if you call 10 minutes—go ahead.

Mr. BARTLETT. Ms. Whitten, if the Congress were to provide some increase in the level of the cap, for example, do you believe that then—would we get a warmer reception from the Administration as far as proposing increases in funding?

Ms. WHITTEN. Well, sir, it would still not address the fundamental, philosophical issue of the fact that there is an arbitrary restriction that limits the amount that can be spent on one specific methodology when methodology should be a local decision as it is reading and in teaching of mathematics and in teaching of every other program.

Chairman HAWKINS. Was the question whether or not the Secretary would be inclined to support additional funding if the cap was expanded? Was that not the question?

Mr. BARTLETT. It is in context that the Department has increased—

Chairman HAWKINS. And would you——

Mr. BARTLETT [continuing]. In Chapter 1 and other things so——

Chairman HAWKINS. Which would automatically increase the cap.

Ms. WHITTEN. Well, the Secretary stated last year that he would consider supporting additional funding if the cap was removed.

Chairman HAWKINS. Well, we would like to see that day come when he will recommend some additional funding. That might solve——

Ms. WHITTEN. We would like to see the cap removed.

Chairman HAWKINS [continuing]. That particular aspect of the problem in a very easy and satisfactory manner.

Mr. BARTLETT. I concur with the Chairman.

Chairman HAWKINS. Mr. Richardson?

Mr. RICHARDSON. Thank you very much, Mr. Chairman.

I would like to ask unanimous consent to put in the record a letter from the Director of the New Mexico Bilingual Education Program and also another item that deals with——

Chairman HAWKINS. Without objection, so ordered.

Mr. RICHARDSON. Mr. Chairman, I just might add that one of the items that I am asking to be put in the record I will be releasing shortly and that is an exchange of correspondence that I have had with the Secretary of Education about some appointments that have been made within the Department of individuals who I believe have demonstrated records of active opposition to the bilingual education program, one of the individuals, Mr. Chairman, actually having been put on the payroll of the Department that has made racist statements that have been reported publicly. I will be releasing that letter shortly.

Mr. Chairman, I have two questions to Mrs. Whitten, one question to Ms. Chelimsky. The two questions to Mrs. Whitten deal with the Department's position. The new bill that has been introduced by the committee does not reauthorize the National Advisory and Coordinating Council on Bilingual Education.

The second question that I have, which is subject to the letter from the New Mexico director of bilingual ed, is the travel and training restrictions imposed by OBEMLA that—on Title VII. And my question is what justification was made to require prior approval and are any of these restrictions appealable.

My question to Ms. Chelimsky will be this. Can we do a better job of accumulating research evidence in this political environment? And let me just say in asking that question, I basically have supported your conclusions. I would like you to maybe give us some suggestions as to how we might improve on this.

But Mrs. Whitten, why don't you answer those two first?

Ms. WHITTEN. Sir, we have not seen your proposals yet, so I really cannot respond.

I will be glad to respond for the record regarding the Advisory Council.

Mr. RICHARDSON. Go ahead.

Ms. WHITTEN. We have not seen the——

Mr. RICHARDSON. Well, let me tell you what it is. We deauthorized the National Advisory and Coordinating Council on Bilingual Ed. Are you for that or against it?

Ms. WHITTEN. I will have to respond for the record. I really have not given it any thought.

Mr. RICHARDSON. And on the travel and training restrictions? Those are already imposed.

Ms. WHITTEN. Yes. I issued guidance this year saying that technical assistance travel would be authorized under grantees for two technical assistance conferences sponsored by OBEMLA.

In view of the fact that we had put out new regulations this year, there was a new law, many things—new clearing house, 16 youth

centers, what we did was we took the country. We divided it in quarters, and we went out with staff and we gave our own technical assistance conferences. That was done this year to insure that grantees, rather than allowing for other conferences, would come to ours and ensure that they understood the new regulations and got all that kind of background.

Additional travel is being considered on a case-by-case basis.

Mr. RICHARDSON. Are these appealable?

Ms. WHITTEN. Yes.

Mr. RICHARDSON. Ms. Chelimsky?

Ms. CHELIMSKY. Yes, about what we can do to improve the use of research evidence.

I think you are always going to have this kind of controversy with regard to research evidence the minute you have a political issue of any substance. And it seems to me also that one agency is going to marshal the evidence that is going to support his policy position, and then you are going to have an answer by another group that also is going to do the same thing.

I think that although Mr. Bartlett said a moment ago that what we have done basically without wanting to do it is to heighten the level of controversy, I think that we need to do that very often simply to take a look at what has been said in the most equitable, independent, objective way that you can, and try to piece out what has happened on each side.

I do not know a better way to do that. We have done that in many other areas of the GAO. And I remember in a program on chemical warfare, which is perhaps the most politicized program I have ever been involved in, we said that the big I was not going to work. And the Defense Department was not happy about this. In other words, this sort of thing happens to us all the time. It is part—your know, it is part of the way things work. And I think it is the only way to work out what, in fact, is the case, is to have a third group come in and look.

Mr. RICHARDSON. Mr. Chairman, do I have any remaining time?

Chairman HAWKINS. Yes, you have one minute.

Mr. RICHARDSON. As I understand, this was your methodology. We requested GAO experts' judgment on six specific questions about what the research on language learning says exemplified by 31 specific quotations from statements by Department officials. It is these questions and quotations that the experts reviewed and responded to and that are the subject of our analysis.

Now, Mrs. Whitten, was this methodology questioned too?

Ms. WHITTEN. Yes, sir. We questioned the fact that the quotes were taken out of context. We also questioned the fact that it misrepresented our position up front by saying that we have felt that TBE was ineffective when really our main thrust is that different methods worked for different children.

And I think it is very interesting that the GAO themselves stated that 10 different experts might have arrived at a different conclusion. It was a very subjective panel, round table.

Mr. RICHARDSON. Ms. Chelimsky, in the remaining seven seconds that I probably have.

Ms. CHELIMSKY. Answer it?

Mr. RICHARDSON. Yes.

Ms. CHELIMSKY. Well, I think there was no need in this particular thing that we did to have representativeness. We were not taking a popularity poll of researchers in the United States. What we did—our study stands on the quality of the people that we put together. And I think that it would be very hard to fault that panel. It represents all sorts of areas of expertise, and it seems to me also that six of the people—three of them had been recommended by the Department, and you know, we did bend over backward to have their views represented. So, my feeling is that those are not serious problems.

Mr. RICHARDSON. Mr. Chairman, Mr. Martinez asked me to put something in the record. I would ask unanimous consent——

Chairman HAWKINS. Without objection, so ordered.

If the gentleman would yield. The emphasis of in the GAO report and what was placed before them is the question of whether research supported the contention of the Department of Education Regarding Bilingual Education. Blanket statements have been made by the Department, and we submitted to the General Accounting Office that contention. It was only that contention that was submitted. The experts selected by GAO in conjunction with the Department of Education itself did not support that contention. Now the Department is refuting the fact that these experts in some way did not support their contention. And that is the only thing that is involved.

I do not see that the Department has submitted any evidence that supports their contention. They have not submitted any to my knowledge—either to the GAO or to this committee. And we have requested evidence supported of youth contention. A month ago I wrote you a letter requesting an answer, and I have not yet received as of this morning, an answer. And the letter itself is unanswered permitting you to answer that the evidence——

Ms. WHITTEN. Sir, we are not aware of this letter. No one here has received that.

Chairman HAWKINS. You are unaware of the letter itself?

Ms. WHITTEN. We would like to respond for the record if we may.

Chairman HAWKINS. I understand that you submitted an answer last week, but it was the same material that was submitted by GAO. The point is, however, we have asked for more specificity on evidence that supports your contention, and that is the issue.

Ms. WHITTEN. We will be glad to respond. We will be glad to respond.

Chairman HAWKINS. We do not have that evidence.

Ms. WHITTEN. We will be more than glad to respond.

Chairman HAWKINS. Well, I wish you would submit that evidence——

Ms. WHITTEN. Yes, sir.

Chairman HAWKINS [continuing]. Because if you have evidence supporting your contention, in addition to what the GAO has seen in the experts that they dealt with to support your contention——

Ms. WHITTEN. Thank you for the opportunity. We will be glad to.

Chairman HAWKINS. And the contention was that current programs are not operating successfully. You may have some updated material to show that they may be operating effectively now, but

two years ago, they were not. That is the type of evidence that we would like to get into the record, if you have it.

Mr. Petri?

Mr. PETRI. Thank you, Mr. Chairman. I think I really just want to follow up a little bit on something that Dr. Handler mentioned in passing.

I think you indicated that everyone talks about current programs which are not working and looks back to the "good old days", and your feeling was that the good old days were worse and there was a much higher dropout ratio or percentage than currently. Were you speaking of a higher dropout generally or a greater diversion between non-English students, Polish or German or Spanish or whatever, back in the '20s and '30s than people who were from English speaking families? Or do those figures—in fact, are you aware that they show that, that it was a much higher dropout in those days than today? It would be interesting.

Mr. HANDLER. No, sir. I should have clarified. I was referring to high school completion rates.

Mr. PETRI. For everyone.

Mr. HANDLER. Right.

Mr. PETRI. So, in fact the good old days were bad in that we had a much higher percentage of people graduating from high school, but you were not arguing that there was a greater diversion in those days between people from non-English speaking—that there was a——

Mr. HANDLER. The comparison I was thinking of was the comparison of high school completion rates past to present. And while we are still—we still have a long way to go, high school completion rates today are better than they were in those days.

Mr. PETRI. Right. But that really has nothing to do with any of this. That is to say, that the good old days may have been better if the disparity between English and non-English speaking students so far as their dropout was concerned was less in those days than it is today.

Mr. HANDLER. Well, I have no way of knowing—fully knowing what the disparities were in terms of language differences. And surely there were language differences. In terms of the rate of immigration that we are experiencing now from third world countries and from languages that are markedly different than those past experiences, I would imagine, were there to be the opportunity to do the research, that we would find differences. Of course, I have no data to support that.

Mr. PETRI. Thank you.

Chairman HAWKINS. Mr. Hayes?

Mr. HAYES. No questions. Thank you.

Chairman HAWKINS. Mr. Kildee?

Mr. KILDEE. Thank you, Mr. Chairman.

Ms. Whitten, in addition to the potential of 17 percent flexibility which we allowed in the last reauthorization of bilingual education, we have given other flexibility in language, total flexibility in such programs as Migrant Education, Chapter 1, any method that could be used, the High School Equivalency for Migrant Education Program, the College Assistance for Migrants, Emergency Immigration Education Act, the Refugee Education Act.

So here in addition to the 17 percent, we have given you more flexibility, but Mr. Bennett has handed it back to us because in the Migrant Education and Chapter 1 he asked for a cut. But more than that, for the High School Equivalency Migrant Education, he asked for zero funding where he has flexibility. For the College Assistance for Migrants, he asks for zero funding where we gave him flexibility. For the Emergency Immigration Education Act, zero funding. The Refugee Education Act, zero funding.

So, you know, while I do believe that the present method has a proven track record, we have been, this Congress in general—trying to exercise some flexibility beyond the 17 percent, but Mr. Bennett has handed this all back to us this year: zero funding for most of these programs and a cut for the one that was not zero funded.

Ms. WHITTEN. I believe that the Migrant Program was a level funding request, and that there was an increase request of $200 million——

Mr. KILDEE. But he asked for the elimination of formerly migrant students. We might argue——

Ms. WHITTEN. I cannot——

Mr. KILDEE. But these other programs——

Ms. WHITTEN. Tom Foreman is from the Office of Budget if you would like to get a further budgetary response for the whole Department.

Mr. KILDEE. Well, these one, two, three, four programs at least were zero funded. And he and I talked about this in my office, too. And he is aware of my spotting a certain inconsistency.

But in addition to the 17 percent—and we worked with good faith when we reauthorized this bill. I can recall Mr. McCain and Mr. Bartlett from Texas—we worked very hard at in trying—and I think people of good will recognizing that we were not totally unwilling to fund some programs that were different than the transitional, and in addition to that, we have given you more flexibility. But it is handed back to us as if they really do not want the flexibility, or the program.

Ms. WHITTEN. I can only address the Title VII program, sir. If you would like for me to respond to anything in that.

Mr. KILDEE. Well, it is same department, though, the Department of Education, and it is just a little baffling to me because we have not totally been rigid on this issue. I think we have been responsible in looking at trying to spend the taxpayers' dollars on programs——

Ms. WHITTEN. May we respond for the record?

Mr. KILDEE. Pardon?

Ms. WHITTEN. May we respond for the record?

Mr. KILDEE. Certainly. May we keep the record open for a more specific response to my question on this and the programs?

Chairman HAWKINS. Without objection, so ordered.

Mr. KILDEE. So, we have not been totally rigid on this. But we also have wanted to be responsible that when we spend taxpayers' dollars which are in short supply, that we try to spend them on programs that have some type of proven track record. And that is I think a responsible position in the Congress. We just—as I say, the extreme of that is putting money out on the stump and letting

people pick it up and spend it any way they want. We do set some standards for that.

So, if you could——

Ms. WHITTEN. Well, we share your concern, and I can assure you that we stand by any program that is currently being funded. And they re being run properly, and if not, you can be sure that we are doing something about it.

Mr. KILDEE. I appreciate that.

And Dr. Ambach, you mentioned developmental. That really interests me because in Flint, Michigan, they have taken some of their own resources there and also combined them with federal dollars, and have done a great job on developmental. We find in my own neighborhood, the neighborhood that I was born and raised in, still live in, most of us are northern Europeans: I from Ireland, a lot of people from Germany and England. A lot of those kids now are in a class, a bilingual class, with Hispanics and are developing proficiency in a language, another language for themselves, and as you mentioned talking one with another. And again, I think that gives them a great talent, makes them more valuable to themselves, and also makes them more valuable to our nation. And this is something we are trying to even enhance in the new authorization—this developmental.

Do you think that enhancement of that part would be useful?

Mr. AMBACH. I applaud it. I think it is a very, very important future direction. And what is important for you by way of reauthorization is to be sure that there is an authority that a state or a local school district can, in fact, provide this kind of a program and not get hung up on the fact that some of the participants happen to be children whose native language is English.

Mr. KILDEE. And have the auditors in there asking a lot of questions, right?

Mr. AMBACH. That is correct.

Mr. KILDEE. Thank you very much. I appreciate that.

That is all, Mr. Chairman.

Chairman HAWKINS. If there are no further questions, the Chair would like to thank the witnesses. I think this hearing shows that there is a variety of viewpoints and that this will obviously become one of the bills that will be subject to much controversy. You have, however—even though you differed, been very constructive and have given this committee an invaluable service. And for that we are deeply thankful. Thank you very much.

That concludes the hearing.

[Whereupon, at 11:29 a.m., the subcommittee was adjourned.]

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